

"The identification of appropriate planning interventions to enable the minibus to make a more efficient contribution to public transport".

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ABSTRACT

The mini-bus industry has been hailed as a major breakthrough in public transport. It fills a much needed void in the hierarchy of public transport. However, despite its success story the industry is facing problems. This study attempts to examine and understand the dynamics of the mini-bus industry in South Africa, with specific reference to mini-bus operations in the study area of Overport. The aim is to examine and highlight the problems in the industry and to formulate solutions and/or policy options for recommendations through the identification of appropriate planning interventions to enable the mini-bus to make a more efficient contribution to public transport.

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CHAPTER ONE : INTRODUCTION

1.1 ROLE OF PUBLIC TRANSPORT IN THE DURBAN METROPOLITAN AREA

This research falls within the broad realm of public transportation with its main focus on the study and examination of a specific mode of public transportation, viz; the mini-bus, in the Metropolitan area of Durban, using Overport as the case study.

Public transportation plays a crucial role not only for the survival of South African cities, it is a fundamental basic need for the survival of the people living in cities and the surrounding areas. This is especially true in the case of South African cities, where the government's apartheid policies have dictated a spatially disperse pattern of urban areas. Social engineering under the apartheid system has meant that the majority of the country's population, viz; Blacks, had no option but to reside in areas prescribed for them. The Black residential areas, which were generally situated at the fringes of urban areas, were located at considerable distances from their place of work. Such skilful manipulation enabled the government to concentrate people thereby making available ample supplies of labour to the system. Furthermore, the educational system was redesigned so that this labour supply could be kept unskilled, with a correspondingly low level of disposable income [Miller and Servas 1990, p2].

The provision of public transport in South Africa has long had a political dimension, being developed and shaped according to ideological constructs. The implication for transportation under the apartheid system has meant the emergence and development of a public transport system whose primary role was to function as conduits between workplaces and residential locations. The responsibility and costs of transporting millions of Black workers was largely borne by the State, in the form of substantial subsidies to the bus and train transportation systems.

The public transportation crisis existing in most South African cities is complex and multi-faceted. It ranges from gross inadequacies in the provision and accessibility of public transport to poor management, overcrowding, poor infrastructure, environmental pollution, high fares, long travel time, traffic congestion and violence. Such factors have contributed to an inefficient transport system being made available to commuters. It is not surprising then, that the public transport system in South Africa, which has had its roots deeply embedded within such a political framework, failed miserably to meet the total transportation needs of the people. "The urban commuting experience of the commonplace, the casual poor and the majority of blacks in South Africa can best be described as a nightmare" [Khosa 1988, p 322].

Such dissatisfaction with the monopolistically controlled state public transport system provided a platform for the emergence of an alternate mode of public transport, that

could better meet the needs and demands of commuters. In recent years, public transportation has witnessed a "mini-bus revolution", displacing and in many instances replacing the conventional modes of transportation, viz; bus and train.

The term mini-bus refers to "passenger vehicles used to provide a transportation service to the public, distinct from conventional mass transit, characterised by frequent but unscheduled operation of small vehicles designed to carry up to 15 seated passengers over generally fixed routes with access by hail" [Rontiris, Gerber, Kelly 1989, p 1].

Mini-buses are "big" businesses. Within the period of a few years this industry has grown from a small group of individuals to an operation with an estimated 100 000 to 120 000 mini-buses operating around the country. It is estimated that today this industry is responsible for transporting approximately 50% of the Black commuters in South Africa, having flourished into a multi-million rand operation, with an asset value of between R6 billion and R8 billion [Claude 1996, p 18].

The mini-bus industry has become "one of the most extraordinary socio-economic phenomena" in South Africa in recent years [Khosa 1992, p 232]. It has been hailed by some as one of the "success stories" of black small business [Ibid]. Today, the mini-bus as an alternate mode of public transport has become an integral part of many commuters life. Furthermore, not only has the industry become a segment of the public transportation system that is rendering a valuable service to the public, it has also contributed significantly to the economy of the country as a whole. However, of late the mini-bus industry has come under considerable spotlight in the media. The informal unregulated anarchic growth of the mini-bus industry within a restrictive political climate, together with inadequate planning, which has primarily been on an ad hoc basis has resulted in an industry with problems. There have been reports on illegal minibus operation, high accident rates, reckless driving, incidents of shoot-outs at mini-bus ranks and from time to time full scale mini-bus wars have seemed to threaten. This has given the industry a blighted self-image in the eye of the public, which could threaten the economic and social viability and future of this industry.

It is in recognition of this problem and the realisation that mini-buses have become a vital component of the public transportation system ,that this research attempts to study, investigate and understand the dynamics of the minibus industry, thereby identifying appropriate planning interventions to enable the mini-bus industry to make a more efficient contribution to public transport.

1.2 OBJECTIVES OF THE STUDY:

To achieve the aim of the study, which is, the identification of appropriate planning interventions to enable the minibus to make a more efficient contribution to public transport, the specific objectives of the study will be outlined in relation to three key

service perspectives, viz; service operators, service regulators and service users. The provision of service provided by this mode of public transport depends upon the relationship between these three key components, which could be seen to represent the three legs of a tripod stand, remove one and the stand falls. Each component has to co-exist with the other to ensure the delivery of this service. The minibus service equation could therefore read as follows:

Minibus service = service provider + service regulators + service users.

Service provider:

Refers to the operators responsible for the provision of this mode of public transport service. It includes not only the owners who could also be the drivers of mini-buses, but rather it includes other drivers that are employed to drive the minibuses.

Service provider/operator = owners + drivers.

Service regulators:

Refers to the controlling bodies which regulate and control the operation of mini-bus services, in relation to law and certain rules. It includes the enforcers of law as well as regulators within the industry.

Service regulators = local authorities + traffic police + minibus associations.

Service users:

Refers to commuters using and requiring the services of minibuses, as well as potential users who at present employ other modes of transport.

Service users = users + non-users.

The specific objectives of the study are:

1.2.1 Operator related objectives:

- (a) To provide a theoretical context for the emergence and development of the mini-bus industry.
- (b) To investigate and examine the operational characteristics of mini-bus services.
- (c) To investigate and identify problems experienced by owners and operators providing mini-bus services in the Overport area.
- (d) To suggest and formulate appropriate planning interventions to meet the needs of owners and operators.

1.2.2 Regulatory objectives:

- (e) To review the legislations which have been/are responsible for controlling, regulating and legalising the operation of mini-buses in South Africa.
- (f) To examine the current practices regulating, controlling and legalising mini-bus operations in the Durban metropolitan area, with specific reference to Overport.
- (g) To investigate the role and function of organisation/associations within the mini-bus industry.
- (h) To identify problems of regulating and controlling mini-bus services and to determine appropriate measures to overcome problems.

1.2.3 User objectives:

- (i) To identify reasons for using the mini-bus services.
- (j) To investigate and determine the problems experienced by mini-bus users.
- (k) To formulate appropriate planning interventions to meet the needs demands of mini-bus users.

1.2.4 Overall objectives:

- (l) To formulate and suggest broad policy guidelines and recommendations to enable mini-buses to efficiently contribute towards public transportation services.
- (m) To investigate and determine reasons as to why mini-buses are not used by non-users within the study area.

It is recognised that these are an extensive array of objectives for a study of limited scope and resources. However, the nature of the problem being addressed necessitates understanding its multiple facets. The limited nature of the study therefore dictated a focussed review of many aspects, concentrating on the most significant points that will inform the case study.

Figure 1 outlines the overall objectives of the study as a flow chart.

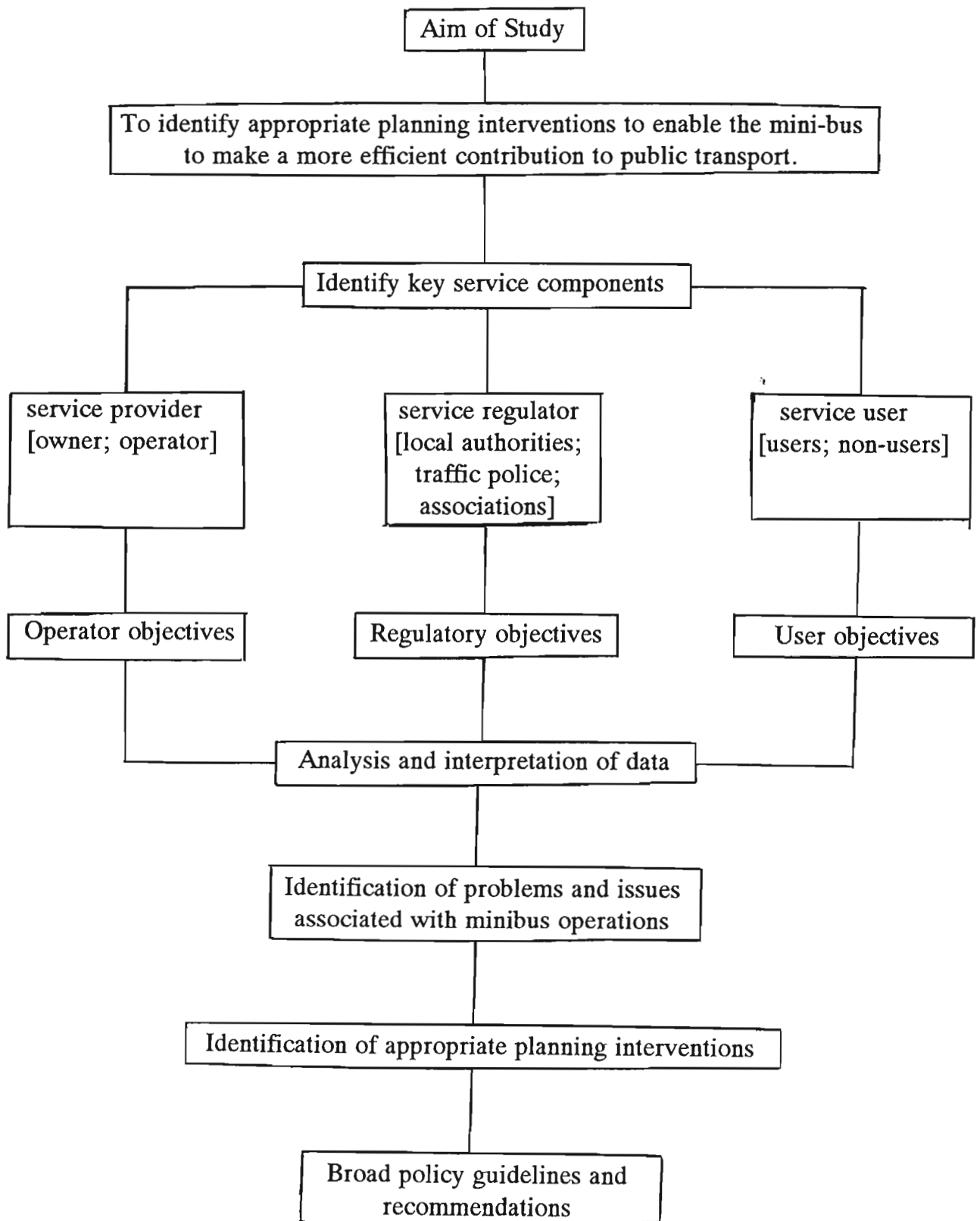


Fig. 1. Flow Chart of Overall Objectives of Study

1.3 METHODOLOGY:

"Any honest attempt to study a problem systematically or to add to man's knowledge of a problem may be regarded as research."

[Reber 1985, p 641; in Mileham 1993, p 5]

Such a study should provide an integration between the theoretical and the empirical to provide a holistic understanding of the research problem. To address the research problem, data will be collected in relation to the users, the operators, and the regulators, through the use of primary and secondary sources of information.

1.3.1 User Data:

(a) Objective :

To determine the socio-economic characteristics, travel patterns, perceptions and problems of users in relation to the Overport mini-bus operations.

(b) Subjects :

In order to collect data on users, the subjects entailed two categories of users, viz; users of minibus and non- users of minibus.

A survey of a total of 15 mini-bus users was conducted at both the point of origin [i.e. the Overport city rank], and the point of destination [i.e. stops made along routes in Overport]. Eight of the subjects were interviewed in the morning at the point of origin of the journey and seven were interviewed in the morning, whose journey originated from the point of destination. The survey involved interviewing users selected on the basis of a random sampling technique, through the use of a survey questionnaire.

A sample of 10 mini-bus non-users were surveyed in the Overport area. These subjects were selected randomly from a list of ratepayers in the area. Non-users were interviewed through informal discussions, to determine their perceptions on, attitudes towards and reasons for not using mini-buses.

A survey involving both the users and non-users of mini-buses in Overport was imperative, to gain an overall insight into the use of mini-buses by both categories of subjects. In addition, such a collection of data will assist in understanding why certain segments of the Overport population use the mini-buses and to help in understanding reasons for others not using this service at present. Such information would be of vital significance to the mini-bus industry, in order to determine how to attract potential mini-bus users in the future.

(c) Sources of data:

The survey questionnaire for the mini-bus users was designed to enable the collection of data related to the following user aspects :

- demographic information
- socio-economic characteristics
- nature of journey
- condition of vehicle
- level of service
- availability of facilities
- problems associated with mini-bus service

Refer to Appendix 1, which is a detailed summary of the information collected from the user questionnaire.

1.3.2 Operator Data:

(a) Objective:

To determine the operator related characteristics, the needs and problems associated with the Overport mini-bus service from firstly, the owners and secondly, the operators [drivers] perspectives.

(b) Subjects:

Seven operators were randomly interviewed, at the Overport mini- bus rank situated in the city. A randomly selected group of seven owners were surveyed.

(c) Sources of Data:

Information on owner and driver aspects were collected through the administration of questionnaires. This was also accompanied by informal unstructured interviews with subjects from each group. Information gained through this form of primary data collection ensured a first-hand understanding of operating procedures, characteristics and problems experienced in operating mini-buses from both perspectives. The interviews provided valuable insight and exposure to understanding the power struggle at play between owners and operators.

Another source of information were observations undertaken by the researcher, to get an unbiased and objective opinion on mini-bus operations. It also

included the tailing method of observation, whereby mini-buses were followed to study various operating characteristics.

(d) Sources of data:

The aim of the questionnaire was to collect information on the following :

Owner : Refer to Appendix 2 for a detailed summary of owner questionnaire.

- demographic information
- status of vehicle
- vehicle aspect
- operating costs
- employee/employer relationship
- affiliation to associations
- infrastructure
- problems associated with min-bus operations.

Operator : Refer to Appendix 3 for a detailed summary of operator questionnaire.

- demographic information
- vehicle aspect
- operator aspect
- operating characteristics
- working conditions
- infrastructure
- problems associated with mini-bus operations

(e) Problems encountered:

Initially, consent to administer and interview both owners and operators was not granted, by certain owner members of the Overport associations. The volatile nature of the mini- bus industry forces key players to approach any form of research and study with a great deal of suspicion, viewing any such undertaking as a sort of threat to their operations. Subsequent meetings had to be held with mini-bus owners. It was only after the City Police Department intervened and reassured the owners of the non-threatening nature of the research that agreement was reached, and permission granted to conduct interviews and surveys.

Secondly, the administering of the questionnaire was problematic. The owners of mini-buses were geographically inaccessible. The majority of mini-bus

owners lived away from the Durban central area. This resulted in travelling great distances to administer the questionnaires and conduct the interviews.

1.3.3 Regulator Data:

(a) Objective:

To determine how transport policies influenced the development and growth of the minibus industry, and secondly to determine the role and function of various controlling bodies in relation to minibus operations.

(b) Subjects:

A number of key role-players from the following governmental institutions were contacted:

- Local Road Transport Board:

A meeting was held with Mrs. Sandy Riggien, regarding the issuing of permits and other legal aspects related to mini-bus operations.

- South African Traffic Department:

Several meetings were held with Sergeant Eddie von Barga, on matters pertaining to legalising mini-bus operations, the granting of relevant permits and discs, and role of traffic department in controlling mini-bus operations.

- Provincial Taxi Registration Office:

A meeting was held with Mr. Caesar Mthethwa, on the role and function of the newly established taxi provincial offices.

(c) Sources of data:

In addition to meetings, interviews and discussions with the above authorities, information was compiled by making references to several sources of secondary data. These included documents, journals, publications of articles.

(d) Data:

Information on the procedures, practices and overall role and function of the various controlling bodies was collected.

1.3.4 Additional field work:

To experience the minibus industry at the grass roots level, a field trip with the Department of Traffic was undertaken. The trip involved visiting various ranks, minibus "war zones", and observing law enforcers at work.

CHAPTER TWO

THE SPATIAL, HISTORICAL AND LEGISLATIVE CONTEXT FOR MINI-BUSES

According to McCaul [1990, p 13] as recently as ten to fifteen years ago very few people had even heard the term "mini-buses". But by 1989 mini-buses had succeeded in capturing the single largest share of the Black commuter market in South Africa. It is estimated that some 625 000 black commuters travel to work in mini-buses everyday [McCaul 1990, p v]. Today the mini-bus operation has come to occupy an important place in the urban public transport system. However, the status and achievement enjoyed by the minibuss industry today was no easy ride.

In order to place the mini-bus phenomenon in perspective for the Durban metropolitan area, this section firstly examines the spatial form of the Durban metropolitan area and in particular attempts to spatially locate the study area of Overport within the metropolitan context. Secondly, the operations of mini-buses in South Africa will be studied, by tracing the historical emergence of mini-buses and examining the operating characteristics of mini-buses. Whilst this section is descriptive in nature, it is nonetheless a prerequisite to understanding the present situation that the mini-bus industry finds itself in.

2.1 SPATIAL FORM OF THE DURBAN METROPOLITAN AREA

The spatial form of the Durban metropolitan area has played an influential role in the appearance of mini-buses has greatly influenced the commuting patterns and conditions of black workers in the area. This is directly related to the application of repressive laws such as the Natives Act of 1923 and the Group Areas Act of 1950. The implementation of such legislation has resulted in the development of the unique concept of an "apartheid" city [Khosa 1993, p 8].

Apartheid policies have enforced residential segregation for different race groups, viz; whites, blacks, indians, coloureds, and the removal of some three million black South Africans to peripheral areas of urban centres. Van Rensburg [1987, p 8] highlights that whilst whites in Durban lived on the most accessible elevated sites with attractive local climates, sea-facing aspects and water front location, close to the CBD, black residence has developed in less desirable, less accessible and peripheral areas away from the CBD. The resulting spatial location of residence therefore meant that the average commuting distance of blacks, indians and coloureds [21+ kms from CBD] is twice as long as that for whites [12+ km from CBD]. Therefore, contrary to transport conditions in urban centres in typically more developed countries where the poor settle in and around the CBD, the apartheid urban centres provide a unique case of urban mobility which defies

this comparison [Khosa 1993; 1988, pp 8 & 322].

The physiographic structure of the city has further exacerbated the distance commuters have to travel. Industrialization policies have resulted in the identification and nucleation of industries in planned industrial regions. This had given rise to spatial segregation of residence and work place, especially for blacks.

The topographic features that characterise Durban are the flat developable planes, steeply rising coastal and transverse ridges, corresponding with deeply incised river valleys and rugged terrain. The location of these natural barriers serve as demarcation lines separating the economic, industrial, commercial and the major residential areas.

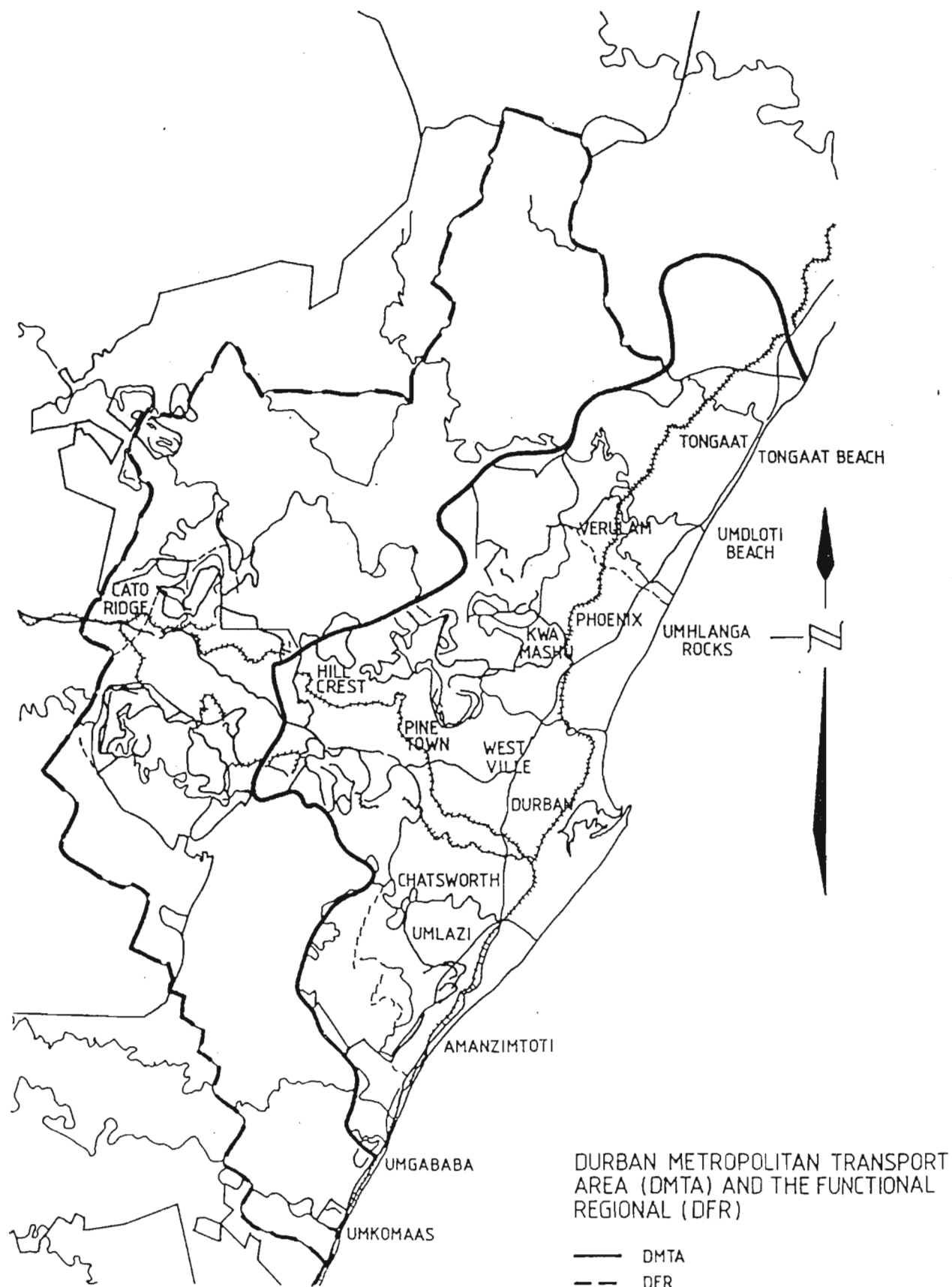
The spatial organisation of Durban together with the physiographic factors have contributed to the rise of complex commuter travel patterns, affecting in particular the lower income blacks who live at considerable distances from their work places. This artificially wide separation of home from work has made commuting long distances an integral part of life for Durban's urban black population. Khosa [1990, p 208] states that 80% of black commuters spend between 1- 2,5 hours travelling to and from work daily and 20% spend an average of 4,5 hours travelling.

Remarkable discrepancies in the provision of transport services exist between black and white and both have different commuting experiences. Whereas the percentage of car ownership amongst whites is relatively high, blacks on the other hand cannot afford such a personal and luxurious form of personal transport. Using public transport is a matter of choice for many whites, whilst for blacks it is a part of life. Because they find themselves located at the fringes of urban areas, blacks depend heavily upon public transport to gain access to "white" industrial and commercial areas. The provision of public transport was highly regulated and controlled by the state, and took the form of mainly buses [municipal and privately owned] and rail [state owned].

2.2 SPATIAL CONTEXT OF STUDY AREA IN RELATION TO THE DURBAN METROPOLITAN AREA

The study area, viz; Overport is a former indian residential area, located to the west of the Durban central area. At the outset it should be noted that Overport is not spatially characteristic and typical of many of the black residential areas found within the metropolitan area of Durban. Unlike other residential areas such as Chatsworth, Umlazi, Kwa Mashu, Phoenix which are located approximately 25-30 km away from the Durban CBD, Overport in contrast is located at a distance of approximately 6 km.

Basically, Overport is residential in character, and the major centre of employment for most of the working population residing in this area is the CBD and the surrounding industrial areas. Despite the close proximity to the CBD, those people without any



MAP (i) : DURBAN METROPOLITAN AREA

SOURCE : DURBAN METROPOLITAN TRANSPORT
 ADVISORY BOARD

access to private vehicles are still very dependent on public transportation to commute from home to the place of work and between areas for other purposes.

In recent years, the trend towards the decentralisation of many commercial and other businesses, has made new and additional travelling demands on passengers using public transportation. Overport, while residential, has served as a satellite urban centre to the central core area. Not only do residents of the area require transport out of the area, but people from other areas working in Overport also require access into the area.

The reason Overport was chosen as a study area was due to the fact that not only is the area served by conventional modes of public transport i.e. bus, but it is also serviced by mini-buses. There is no study that has been undertaken, nor any statistics or data available to date, on the travelling patterns in and out of this area. A study of mini-bus operation within this area could provide useful information to future transportation planning for the area.

It must be noted that studying the mini-bus operation in this area might not necessarily display all of the complexities and dynamics of this industry. However, it would provide the opportunity of studying and understanding some of the basic aspects operational in this industry. Furthermore, the research would assist in exposing and understanding some of the problems inherent within the industry at a localised level. It is only when these problems have been identified and resolved appropriately at the micro-level, that problematic issues at a macro-level can be more effectively managed. The adoption of such an approach will enable the mini-buses to make a more efficient contribution to public transportation.

2.3 EMERGENCE OF MINI-BUSES IN SOUTH AFRICA : A HISTORICAL OVERVIEW

2.3.1 Introduction:

Black minibuses have long been apart of the South African transport scene and its historical beginnings can be traced to the turn of the century. In the 1890's the modern mini-bus took the form of horse-drawn cabs in the rapidly-growing mining town of Johannesburg [Servas & Chapman 1990, p 4; Khosa 1992 (b), p 233].

By the early 1930's motor cars were being used as mini-buses. During the 1950's a substantial number of black-owned bus companies emerged as flourished [Ibid p 4; p 233]. The mini-bus industry which initially originated as a backyard operation, had today developed into a powerful feature in South Africa's economy. "The black mini-bus industry has grown from a few hundred 6-seater sedans in the late 1970's to over 80 000, 10 and 16-seater mini-buses in the 1990's" [Barolsky 1990, Khosa 1990, McCaul 1990-in Khosa 1992, p 182].

Public transportation in South Africa has also had a long standing political dimension, in that there was and still continues to be a large degree of state intervention. From the early 1930's mini-bus operators were increasingly handicapped by a barrage of political and economic restraints. Such interventions have had a negative effect on the "normal and natural" development of this form of public transportation.

In order to fully understand the present operation of mini-buses in South Africa, it is necessary to trace the historical development of mini-buses. The purpose of this section is to review and examine the legislative framework, in terms of the relevant legislations, transport policies and practices within which this industry has evolved.

2.3.2 Historical Overview of Transport Policies and Legislations:

This section deals with the various state policies related to mini-bus operations in South Africa. For convenience policies have been categorised into three distinct phases, each characterised by a particular policy approach.

(a) Phase 1 : 1930-1977

The first phase was characterised by the introduction of measures of control over road transportation. During this phase, mini-bus operators were subjected to a complex network of restrictions and the policy of the government was to deliberately remove any competition which may have surfaced in the transport market. Regulation affecting the mini-bus services are contained in a number of legal documents, the two most significant legislations with a major effect on the industry during this phase were The Motor Carrier Act [No. 39] of 1930 and The Road Transportation Act of 1977.

(i) The Motor Carrier Act of 1930:

This Act was passed in 1930, following recommendations of the Le Roux Commission. In 1929, the Le Roux Commission reported that public transport was "one of great confusion and disorder" because "competition was unrestricted and uncontrolled" [Khosa (b) 1992, p 234]. The 1930 Act, introduced transport regulations on a scale unprecedented in South Africa. The purpose of the act was mainly to protect the existing services provided by the South African Railways [SAR] from competition of road carriers.

This Act stipulated that the transportation of passengers and goods for reward purposes required the authorisation of the National Transport Commission. Also Section 5 of the Act empowered the Local Road Transport Board to set up a quota of certificates in order to limit competition where there were no railways. Hence the Motor Carrier Exemption Certificates came into existence. This Act resulted in the monopolisation of

transport in such a way that the passengers market was served by bus companies and railways, both of which were highly subsidised by the state.

As far as mini-bus operations were concerned, the Act did not really affect it. The act contained no regulations preventing motor cars from carrying more than seven passengers. However, with the passing of the Motor Carrier Transportation Amendment Act of 1941, the conditions contained in the 1930 Act, extended to include all mini-buses as well, no matter what the number of passengers. Legalised mini-buses were now restricted to carrying five passengers.

Although at this point, the mini-bus industry was not a significant part of the transport industry, operators were harassed by traffic official and their vehicles confiscated for petty offences. Direct control of the mini-buses was firmly in the hands of the white bureaucratic state apparatus. Blacks were often sceptical about state legislation as it was seen as favouring whites and it was perceived as ploy to undermine black enterprise [Khosa 1992 (b),p 234]. However, against all odds mini-buses continued to provide services.

- (ii) The Road Transportation Act [No. 74] of 1977:
[Refer to Appendix 4- Road Transportation Act No.74 of 1977]

The Road Transportation Act of 1977 although a revision of the Act of 1930, basically entrenched the principle contained in this act with regard to the regulation and control of transportation. The main objective was "to provide for the control of certain forms of road transportation" [National Transport Commission 1984, p 4-3]. In accordance with the Act, this control is mainly exercised by the National Transport Commission [NTC] and various Local Transportation Boards [LRTB].

All operators carrying passengers for gain still required authorisation in terms of what was now referred to as a Public Carrier Permit from the LRTB. The granting of public permits then allowed the holder to provide transport services. In considering an application for the granting of a permit, Section 15 of the Act lists a number of factors that needed to be taken into consideration by the commission or board when deciding whether an application should be granted or refused. Briefly, these included the following: [Refer to Appendix 4: Road Transportation Act No. 74 of 1977]

- the extent to which the transport to be provided is necessary or desirable in the public interest,
- the public's requirement for transportation within the area in which the applicant proposes to operate,

- the existing transportation facilities are already available,
- co-ordination of all forms of transportation on an economically sound basis, with due regard to public interest,
- the class of persons to which the applicant belongs and class or classes of persons to be served by the transportation service for which such a permit is sought,
- the applicant's ability to provide a satisfactory service,
- any representations submitted regarding the applicant,
- and any "other factors" which the Board thinks may affect desirability of granting the application.

However, the onus is on the applicant to prove that existing transportation facilities are insufficient to meet public needs.

Furthermore, even if a permit should be granted, Section 21 of the Act, specifically, Sub 2 (a) and (b) of Section 21 contains conditions attached to that permit. The conditions require the operator to be in possession of a Certificate of Fitness of the vehicle, obtained from the provincial administration. This is to certify the suitability, roadworthiness and fitness of the vehicle that will be used in providing the service. In addition, the conditions attached to the permit prescribe the route or area where the applicant may operate his service and according to a specified time-table [Sub 3(e); Sub 4(a)]. Section 24 provides details of "the duties of the holder of a permit". Of interest is the requirement that a "distinguishing mark" be affixed to the motor vehicle to be used.

The Commission and Boards have used these criterias, exercising enormous discretion to support different government policies. The conditions which must be satisfied for a permit to be issued were open to a variety of interpretations, which has allowed administrative policy to range from granting no permits to granting them to whoever applies [McCaul 1990, p 339]. Consequently, this arbitrary exercise of power has caused great unhappiness in the mini-bus industry [Mabuza 1990, in Durban City Engineer's Dept 1991, p 6].

However, despite the restrictive regulation, this act can be viewed as presenting a major turning point in the fortunes of the mini-bus industry. It was due to a loophole in the Road Transportation Act of 1977, that the advent of what McCaul [1990, p 38] refers to as "kombi" i.e. mini-bus, was witnessed. The Act enabled black mini-bus operators to replace their Chevrolet and Valiant sedans with larger "kombi" type vehicles, thereby allowing operators to transport up to eight passengers instead of the previous maximum of five. This was possible because the act defined a "bus" as a motor vehicle for the conveyance of more than nine people, including the

driver. A "motor car" was defined as being able to carry up to nine passengers including the driver. The mini-bus or "kombi" remained undefined. The mini-bus could therefore carry eight persons without having to operate as a bus and did not have to adhere to the stringent requirements with regard to routes and schedules.

The shift in state policy from one characterised by repressive attitudes to one reflecting glimpses of tolerance, had significantly facilitated the development of the mini-bus industry of the 1980's. Many prospective operators however, had become exasperated by the permit application system. The restrictions attached to their permits were felt to be very demanding. This led them to operate illegally, as "pirate" operators, who operated outside the limitations imposed by their permits.

(b) Phase 2: 1978-1986

The second phase was dominated by the appointment of government commissions and studies, viz. The Welgemoed Commission, The National Transport Policy Study and The Competition Board, to investigate the rise of the mini-bus industry. Given that the operators could now operate legally, they began to compete with buses on shorter trips. This competition was met with a great degree of opposition from bus companies, resulting in much animosity between mini-bus operators and rival bus operators.

(i) The Welgemoed Commission (1983):

The legalisation of the eight seater vehicle in 1977, had far reaching consequences. Large numbers of commuters changed over to mini-bus mode. According to Servas [1990, p 6] the service provided was viewed as far superior to that offered by the bus or train. This development caused considerable concern to central and local authorities and also the bus companies.

According to Freeman et al [1987, p 5], bus operators argued that mini-buses were unfair competition, as they did not have to adhere to fixed routes and schedules. They felt that mini-bus operators were skimming off their bus passengers. This left bus operators with less income with which to cross subsidise the poorly patronised routes. It became all too clear to bus operators that the "proof of need" requirements of the Act of 1977, was dismally failing to achieve the desired control. Mini-bus operators in addition, were seldom discouraged by not obtaining permits, operating as "pirates". These "pirate" operators were not really concerned about the restrictions regarding operational areas. They provided services where "the demand meant that there was money to be made" [Servas 1987, p 7].

The government became increasingly concerned, since the subsidies it provided to the bus companies began to substantially grow. It is against this background that in 1981, the Department of Transport, appointed a Commission of Enquiry into Bus Passenger Transportation in South Africa. This enquiry was conducted under the chairmanship of Dr. Peter Welgemoed [Professor of Transport Economics at Rand Afrikaans University]. The commission which came to be known as the Welgemoed Commission, was instructed as part of its terms of reference to investigate the effect of mini-buses and recommend future guidelines in this connection.

The final report of the Commission was tabled in Parliament in June 1983. It recommended far reaching proposals to protect the bus industry from further losses. As a result of the Commission's findings, draft legislations to amend the Road Transport Act of 1977 was circulated and contained the following proposals:

- mini-buses should be redefined as a motor vehicle with a carrying capacity of a maximum of 4 persons, plus a driver,
- a new category of "small buses" for vehicles carrying between 5-25 passengers be created,
- meters in mini-buses be compulsory,
- the legalised mini-bus vehicle with a carrying capacity of 8 passengers be phased out over a period of four years.

Thus the Welgemoed Commission favoured regulation of the bus industry and the accompanying monopolistic rights it involves, as well as the rationalisation of certain services and the complete phasing out of mini-buses [Mileham 1993, p35]. Bus services were to be given preferential treatment and protection from the mini-bus industry in an attempt to stimulate and expand the bus industry [McCaul 1990, p 44].

The recommendations of the Welgemoed Commission was met with antagonism and waging of vociferous popular protest from mini-bus operators. There was also an immediate outcry from the private sector who pointed out the inconsistency of these proposals with recent changes in government policy. The Cape Town Chamber of Commerce expressed its concern by saying that the bill was inconsistent with the government's declared intention to stimulate black business [McCaul 1990, p 45]. The National Association of Automobile Manufacturers of South Africa [NAAMSA], lobbied extensively against the proposals, arguing that the Welgemoed Commission's proposals would "provoke social and industrial tensions, and meet with widespread resistance from the black community" [Ibid, p45]. Freeman et al [1987, p5] summed up the report as follows:

"Its (Welgemoed Commission) findings with regard to mini-bus showed both political and economic naivety. On the one hand it recommended the phasing out operating subsidies for buses (which had been heavily relied upon long before the advent of mini-buses), while on the other hand it wished to ban mini-buses which were operating without subsidy and encouraged black entrepreneurial spirit".

The recommendations of the Welgemoed Commission were, not surprisingly, not implemented. They nevertheless served to exacerbate tensions within public transport, particularly between the mini-bus industry and the white owned bus companies [Brunings 1991, p 12]. However, it was noted by Servas [1990, p8], that the subsequent White Paper on National Transport Policy of 1987, in fact included many of the proposals recommended by the commission.

(ii) The National Transport Policy Study (1987):

The Welgemoed Commission was superseded by the National Transport Policy Study [NTPS], when it became clear to the government that the recommendations could not be implemented. This study was initiated in 1986, which resulted in the White Paper on National Transport Policy in 1987, and brought the major transport policy shift since the 1930's.

The NTPS, unlike the Welgemoed Commission, had been an open exercise, which involved much negotiation and public discussions. All the concerned parties were represented, including the following:

- South African Transport Services (SATS),
- South African Bus Operators Association (SABOA),
- the Department of Transport (DOT),
- the Centre for Scientific and Industrial Research (CSIR),
- the South African Black Taxi Association (SABTA),
- the Passenger Transport Association,
- the Transport Consultative Committee.

together forming the transport advisory committee [McCaul 1990, p 48].

The NTPS recommended that:

- vehicles designed to carry up to 15 passengers and a driver be allowed to operate as mini-buses,
- national guidelines should stipulate the minimum number of mini-buses to be determined on a formula basis applicable to local circumstances in urban areas,
- the maximum number of mini-buses in the urban area would be

determined by the relevant Regional Services Councils, based on the road space availability and ranking facilities,

- the applicant need no longer prove the need for the service,
- the abolition of the permit system,
- the phasing out of the NTC & LRTB,
- the introduction of a new road transport quality system.

[City Engineer's Dept 1991, p 9]

The proposals recommended by the NTPS were geared towards the promotion of freer market principles. The NTPS's stated that the formation of monopolies was to be avoided and that total deregulation was unacceptable. The broad policy proposals were accepted by SABTA, which concluded that, "the package was in the best interest of both mini-bus operators and the commuter" [Freeman et al 1987, p 7].

(iii) The Competition Board:

At about the same time that the NTPS submitted a draft White Paper containing its recommendations, the Competition Board also submitted its recommendations after conducting an investigation into the licensing and issuing of permits to min-buses. The investigation was a result of reports produced by two Presidential Councils.

The first report was the Report of the Constitutional Affairs Committee of the President's Council, on an Urbanisation Strategy for the Republic of South Africa. The report argued that mini-buses significantly reduced the long travel times of commuters. The committee therefore felt that mini-buses be encouraged as a means of transport rather than be restricted. Furthermore, the report stated that a great deal of confusion existed in the government's policy regarding min-buses.

The second Presidential Council's report was submitted by the Economic Affairs Committee in November 1985, which was commissioned to develop a strategy for small business development and for deregulation. The report stated that "so-called pirate mini-buses were a vital element in the overall transport system and the lives of commuters, and were creating many new entrepreneurs" [McCaul 1990, p 50]. The report suggested that the Competition Board be asked to investigate the position of mini-buses with a view to making the required licences and permits more readily available to operators [Ibid, p50].

The Competition Board made some of the following recommendations:

- that the "operating authorities" for public passenger operators should be

freely available on application to any operator who complied with roadworthiness, driver competence and the road safety requirements,

- any withdrawal of the "operating authority" should be on the grounds of technical offences,
- that fifteen-passenger vehicles should be permitted to operate as mini-buses,
- that there should be no limitations on the economic nature restricting entry into the mini-bus industry and no cognisance should be taking of local conditions eg. limited rank facilities.

The Competition Board proposed complete deregulation of the mini-bus industry. The rationale behind this was that the entry restrictions imposed by the 1977 Act on mini-buses were "highly restrictive" and inconsistent with the governments objectives of furthering private initiative, competition and deregulation. It commented that it was "easy to exaggerate" the potential disadvantages of deregulation and referred to the "sombre picture of chaos and decay painted by some groups with a vested interest in the current system of comprehensive regulation and subsidisation" [McCaul 1990, p 50]. Further, the Competition Board stated that the recommendations put forward by the NTPS, could lead to further severe restrictions, and this like the present system will not prevent the illegal entry of mini-buses. "If the demand is there, entry will take place regardless of restrictive over-regulation"[Ibid, p 51].

(c) Phase 3: 1987-1991

This phase was characterised firstly by the introduction of the new Passenger Transport Policy and secondly, by the repeal of the Road Transportation Act of 1977.

(i) The White Paper on National Transport Policy (1987):

The White Paper on National Transport Policy was published in January 1987. The White Paper accepted the Competition Boards recommendation that entry into the mini-bus industry should be controlled through technical aspects and requirements, such as using a roadworthy vehicle. The NTPS's recommendation that the government should set minima on the number of mini-buses that each Regional Service Council would have to allow to operate was rejected by the White Paper. However, certain NTPS recommendations were accepted and included in the White Paper. These included:

- the lowest level of government possible should take decisions on passenger transport and be responsible for subsidy payments, which are

- made in a direct and visible manner,
- the permit system and the NTC and LRTBs should be abolished,
 - all road passenger transport operators should be required to acquire an "operating authority" from the lowest level of government possible,
 - that "operating authorities" be issued on merit and on the grounds that various technical requirements had been met. Economic restrictions should play no part in issuing them,
 - the national level of government should enforce safety standards,
 - the goal of phasing out the subsidisation of passenger services in the long term, as proposed by the Welgemoed Commission should be endorsed,
 - that, the Department of Transport through co-operation with local authorities, formulate guidelines on mini-bus ranks,
 - that 15-passenger vehicles be allowed to operate as mini-buses.

[McCaul 1990, p 51; City Engineer's Dept 1991, p 11]

The White Paper advocated a total deregulation of mini-buses. This proposal was met with the disapproval of SABTA and mini-bus operators were hurt and embittered by the recommendations in the January White Paper [Freeman et al 1987, p 6]. Mr James Ngcoya said "the government has betrayed the black mini-bus industry. As a result the minibus operators no longer has any faith in the government...the government simply cannot be trusted" [McCaul 1990, p 54]. He claimed that aim of the government was "still to nullify the mini-bus industry. The government would like to see the mini-bus industry fragmented, dissipating its energies on internal quarrels over a limited market" [Servas and Chapman 1990, p 10]. He further added that "now when the black businessman uses the same regulation to build up his own financial foundation, the government says 'let's deregulate'. We do not want this deregulation. It is nonsense and just continuation of apartheid in a new guise" [McCaul 1990, p 54]. Mr. Ngcoya ended off by stating that the industry was not opposed to pirate mini-buses entering the legal mini-bus market. The fear expressed was that it could lead to ranks becoming flooded with new people overnight. "We must warn the government that deregulation could be followed by violence and chaos" [Servas & Chapman 1990, p 12].

The state has therefore sought ways, as outlined in the 1987 White Paper on National Transport Policy, to depoliticise the provision of transport through deregulation and privatisation. The White Paper has opened the way for a mini-bus industry untrammelled by entry restrictions. Permits have been issued freely with little enforcement of the permit system on the road. The result, as predicted by SABTA, "has been constant tension in the industry. There is always some area in which violence breaks out; there are killings at ranks, as splinter groups fight for the right to service routes" [Ibid, p 12].

In August 1987, SABTA, once again expressed its opposition to deregulation, by putting forward a number of proposals. One of the policy proposals put forward urged and requested the government that the move from the present system and policy to a new one, should be phased over a period of time. This it felt, would offer protection to existing public transport operators from the competition of new entrants to the industry. Further, it will enable all parties concerned to adjust in an orderly manner. A situation of de facto deregulation has been in operation since 1987.

(ii) Repeal of the Road Transportation Act of 1977:

Subsequent to the White Paper on Passenger Transport Policy, the Transport deregulation Act of 1988 and the Road Traffic Regulation Act of 1989 were passed. These acts make provision for the deregulation of road transport by way of repeal, in stages, of the Road Transportation Act of 1977, with dates to be determined by the Minister of Transport.

(d) Current Policy Initiatives:

The most important current initiative on policy formulation is the work being carried out by the National Transport Forum. The draft policy document considers many of the problems endemic in the mini-bus industry which need to be addressed. [Status Quo Report 1995, p7-6]

In the meantime, pending new legislation, the control of legal mini-buses still remains a Central Government function acting through the Local Transportation Boards. Over the years, the mini-bus industry has succeeded in sustaining its growth amidst major shifts in state policies, viz; from fairly restricted policies, to a more liberal approach, with regards to the granting of permits and the size of vehicle which governs the number of passengers conveyed.

2.4 OVERVIEW OF REGULATORY AND CONTROLLING PROCEDURES OF MINI-BUSES

This section examines the current regulatory and control practices with regard to mini-bus operations in South Africa. Mini-bus operation in each province is primarily regulated by provincial and local authorities, namely the City Council, the Local Road Transportation Board and the City Police Traffic Department.

In terms of Section 166 of the Road Traffic Ordinance of No. 21 of 1966, these

authorities are empowered to pass and enforce certain by-laws with respect to the operation of mini-buses. These may vary within the different metropolitan areas. For mini-buses to operate legally they have to meet certain requirements as stipulated in the Municipal By-Laws. Specifically, the control and regulation of mini-buses in the Durban Metropolitan Area will be discussed in this section. Information for this section was chiefly contributed by Mrs. Sandy Riggien of the LRTB, Sgt. Eddie von Bargen and Constables Ramdass and Jeffrey Johns of the City Police Traffic Department, Mr. Caesar Mthethwa of the Provincial Taxi Office. Original documents and other secondary sources of information were also used.

2.4.1. Role and Function of Regulatory Authorities:

For any mini-bus owner and/or operator to operate legally, they have to comply with the by-laws, which requires:

- the owner and/or operator to obtain various legal documents,
- the adherence by owners and/or operators to various conditions attached to these documents.

(a) Registration of Mini-bus Operation:

In order to register the mini-bus operation the owner and /or operator has to obtain the following :

(i) Motor Carrier Permit/Public Road Carrier Permit:

Any person who wishes to operate a mini-bus must first apply for a Public Road Carrier Permit. This permit is issued in accordance with the Road Transportation Act of 1977, as amended. Section 13 of the Act states that any person wishing to undertake any road transport service must apply to the appropriate Local Road Transportation Board for a Public Road Carrier Permit.

In order to obtain a PRCP, one of the most important conditions to be fulfilled by the applicant is his motivation for the application and enter-alia, to demonstrate that the existing transport services are inadequate, and that there is a need for additional transport. This information satisfies the requirements and regulations of the Road Transportation Act 74 of 1977, and in particular regulations pertaining to Sections 12 to 16 inclusive.

Once filled and completed, the application form is then submitted to the Local Road Transportation Board, with an unrefundable fee of R25-00, [Refer to Appendix 5 - Application for Permit Form]. The LRTB is obliged to follow a procedure which requires the publication of any application in the

Government Gazette. This is followed by a waiting period of 21 days for any objections to the granting of such a permit. If any objections are raised, a hearing of these are held by the Local Road Transportation Board. Objections can be tabled by the Durban City Police, the City Council, the Physical Environment Unit, mini-bus operators, bus companies, mini-bus and bus associations or any person/s affected by the granting of such a permit. Depending on the merits of the objections, the application can be granted or rejected.

If the application is rejected, then the applicant may appeal to the National Transport Commission in Pretoria, as prescribed in the Act. If the application is again rejected/refused, then the applicant may get a court order, where the final decision will be made, granting or refusing the issuing of the PRCP.

If on the other hand, the permit is granted, then the applicant is issued with a PRCP. Any permit issued by the Commission or Board shall specify the following, namely:

- the name of the holder and his address, ie. register the owner of the vehicle,
- the registration number, make, year of manufacture, type and seating or carrying capacity of the motor vehicle, ie. register the vehicle,
- the points between and the route/s upon which or the area/s within which the motor vehicle for which the permit is issued, shall serve, i.e. state the purpose of the permit and radius,
- the period for which the permit is granted, namely fixed or indefinite, i.e. validity of permit,
- the manner in which tariffs for the service for which the permit is issued is charged, i.e. fare.

Refer to Appendix -6: Copy of previously issued Public Road Carrier Permit and attached Disc.

Refer to Appendix -7: Copy of new and presently issued Public Road Carrier Permit and attached Disc.

The original document, viz; the PRCP, has to at all times be kept in the vehicle operating as a mini-bus. Attached to the PRCP, is a token or disc, which has to be affixed at all times to the windscreen as a distinguishing mark to identify those vehicles used for public road transportation. According to Mrs S. Riggien, the permit was previously issued for a fixed period, ranging between one to one and a half years. Nowadays, the permit is valid for an indefinite period of time. She further added, that the current practice was to accommodate as many applicants as possible. The PRCP is the only permit issued by the LRTB. This permit cannot be in terms of the Act, may not be hired and the holder of this permit can only use it himself,

or employ a mini-bus operator/driver.

(ii) Certificate of Fitness:

According to the Road Traffic Regulations Act 29 of 1989, any motor vehicle which is used for the conveyance of persons for reward is required to obtain a Certificate of Fitness in respect of such a vehicle [Refer to Appendix 8: Road Traffic Regulations Act 29 of 1989, Regulation 267, Sub (1)]. In terms of this Act, specifically, Sub 2 of Regulation 267, stipulates that a Certificate of Fitness for a motor vehicle must be obtained from the Natal Provincial Administration [NPA], or from any appropriately graded private testing station. Previously, the NPA was the only department responsible for issuing a COF. Recently, many private testing stations have been permitted to issue COFs. In order to be authorised, these testing stations have to be registered with and recognised by the Natal Provincial Administration.

A number of Provincial testing grounds exist in Kwa-Zulu Natal, namely: in Pinetown, Rossburgh, Verulam, Winkelspruit (Amanzimtoti). There is only one private testing station to be found within the Durban metropolitan area, which is the Durban Road Worthy Centre in John Milne Road.

To obtain a Certificate of Fitness, the applicant has to fill and complete an application form. The submission of the application form to the relevant authorities, must be accompanied by a payment or fee. In the case of the NPA the fee is R50-00, while private testing stations charge a fee of R110-00. On the receipt of an application form, the authorities would then determine a place and time for the examination and testing of such a vehicle to be used as a mini-bus. According to Mr. A. De Lange a spokesman for the Rossburgh Testing Grounds, the aspects of the vehicle checked include: seats- which must be properly upholstered; seat belts; the interior of the vehicle must be clean and hygienically well maintained; all tyres must be of the same size and make; all lights must be in a good working order, that is, the front and rear lights; the doors must operate smoothly, including the sliding door; a brake test is undertaken on the brake test machine; vehicles are placed on the pits to check for loose bolts, oil leaks, rust, hanging wires; the engine must be clean. Regulation 398 of the Road Traffic Regulations states that every mini-bus also has to carry in a readily accessible position, at least one fire extinguisher, which must be in a good working order. [Appendix 9: Regulation 396]. Also motor vehicles operating as public vehicles must at all times carry at least one emergency warning sign (triangle) [Appendix 10: Regulations 349].

If the examiner of the vehicle after examination and testing is satisfied with the roadworthiness of the vehicle, authorisation to issue a Certificate of

Fitness is given. If the examiner is not satisfied with the roadworthiness of the vehicle, that is the vehicle is not in a good operational and/or functional condition, then the applicant is allowed to remedy any defects, within a period not exceeding 14 days from the date of such examination and testing [Appendix 11: Road Traffic Regulation, Reg 269, Sub (2) (b)]. As proof of the possession of a COF a Certificate of Fitness Disc is attached to the COF [Refer to Appendix 12: Copy of Certificate of Fitness and Disc]. This disc has to be affixed to the windscreen at all times.

In terms of Regulation 270 [Appendix 13: Regulation 270] , the certificate and disc, is valid for 12 months, after which both have to be renewed. The vehicle has to be completely re-examined by the officials the following year, before the certificate is renewed. The renewal fees are the same as when applying for a COF, namely R50-00 if renewed with the NPA and R110-00 if with a private testing station, provided there has been no increase in the rates.

(b) Public Driving Permit:

Any person who wishes to drive a public motor vehicle on a public road has to apply for a Public Driving Permit, as outlined in the Road Traffic Regulations Act 29 of 1989, Regulation 251 [Appendix 14: Regulation 251]. This application can be made at any NPA offices. The following requirements must be met by the applicant before the permit is issued. These include:

- the applicant must be over twenty-one,
- the applicant must have a clearance certificate from the local police. This certificate is to provide proof that the applicant has had no previous criminal convictions,
- a set of the applicant's fingerprints has to be submitted with the application,
- the applicant must have a clean bill of health from a medical officer,
- the applicant is of good character and competent to drive the vehicle intended,
- the applicant does not suffer from certain diseases and disabilities,
- the applicant must be in possession of a code 8 driver's licence.

The application is submitted to any NPA office, from where it is then sent to Pietermaritzburg for approval. The Pietermaritzburg office will conduct a full investigation on the applicant before granting or refusing the permit. If the application is approved, a permit is granted allowing the transportation of passengers for hire and reward. This entire procedure takes approximately two to three months. The applicant must be able to produce this permit at all times [Appendix 15: Public Driving Permit].

The PDP is valid for one year only. If the PDP is renewed before the expiry date, then all that is required is a stamp of renewal, without the applicant having to submit any

proof documents. Furthermore, renewal will only be granted, provided that the applicant has not being guilty of reckless, negligent and drunken driving, has not assaulted or murdered any person, and has not been convicted of any disqualifying offences. However, if the permit is renewed after the expiry date, then a application has to be made, refurbishing all the necessary information.

(c) Passenger Transport Undertaking Licence:

This is a licence which basically allows the mini-bus to operate as a business enterprise. This licence is issued by the Joint Service Board. It authorises the owner/operator to transport passengers to and from any place within that particular area. This licence is also called the "Municipal Trade Licence" or "Public Vehicle Cab Licence" .

The following information is required for this licence:

- name of the owner of the vehicle,
- make and/or model and registration number of the vehicle,
- areas and/or route/s along which service will operate,
- maximum number of passengers that will be conveyed per trip.

According to Mr. Clive Christianson of the Joint Service Board, the acquisition of this licence is not strictly enforced, in fact it is almost non-existent.

(d) Mini-bus Rank Permit [MRP]:

Having completed all the above mentioned legalities, the registered owner of the vehicle is then required to apply for a Mini-bus Rank Permit. The allocation of a MRP is the responsibility of the City Police Traffic Department. Such a permit will allow the operator the use of official mini-bus ranks [Refer to Appendix 16: Mini-bus Rank Permit and attached Disk]. Prior to August 1996, in order to obtain a MRP, the applicant had to be in possession of all the earlier permits and licences first, only then would a MRP be issued. However, delays by certain offices have forced the traffic department to become more lenient in when considering the granting of a MRP. Presently, all the applicant needs to produce is the log book for the vehicle. In dealing with applications the City Police take into account a number of considerations:

- the destination which the operator wishes to serve, certain ranks serve certain destinations,
- the place of residence of the operator, preference is given to operators serving their own communities,
- priority is given to those operators who do not have a rank space as yet,
- length of service in the industry.

Once an application to occupy rank space has been approved by the City Police, the operator has to make a payment of R66-00 for the permit. The issue of the permit is accompanied by the issuing of a rank disc. This disc has to be displayed on the windscreen of the vehicle at all times. This permit is renewed every year and merely requires the owner to make a payment of the required amount to the City Police Traffic Department and is issued with a new rank disc for the operating year.

Details on the mini-bus rank permit include the following:

- name of the owner of the vehicle,
- registration number of the vehicle,
- mini-bus rank number,
- location of the rank,
- destination to be served from this rank.

All details pertaining to the operator's MRP is logged by the traffic department, into the mini-bus rank book. This permit must be on the person driving the vehicle at all times.

Details on the mini-bus rank disc include the following :

- the validity of the disc ie. the year for which the disc is issued,
- the rank number for which this disc is issued,
- the registration number of the vehicle,
- each rank disc is given a rank number.

If the vehicle for which the disc is issued has been involved in an accident or the operation of the vehicle is temporarily discontinued, then it is the duty of the owner of the vehicle to return the disc to the Traffic Department. The disc will subsequently be cancelled. But, the MRP still remains effective and valid. Once the vehicle has been repaired or replaced, then the Traffic Department issues the owner a new rank disc with a new number at no further cost. The mini-bus rank permit does make provision for such changes or disruption to the service.

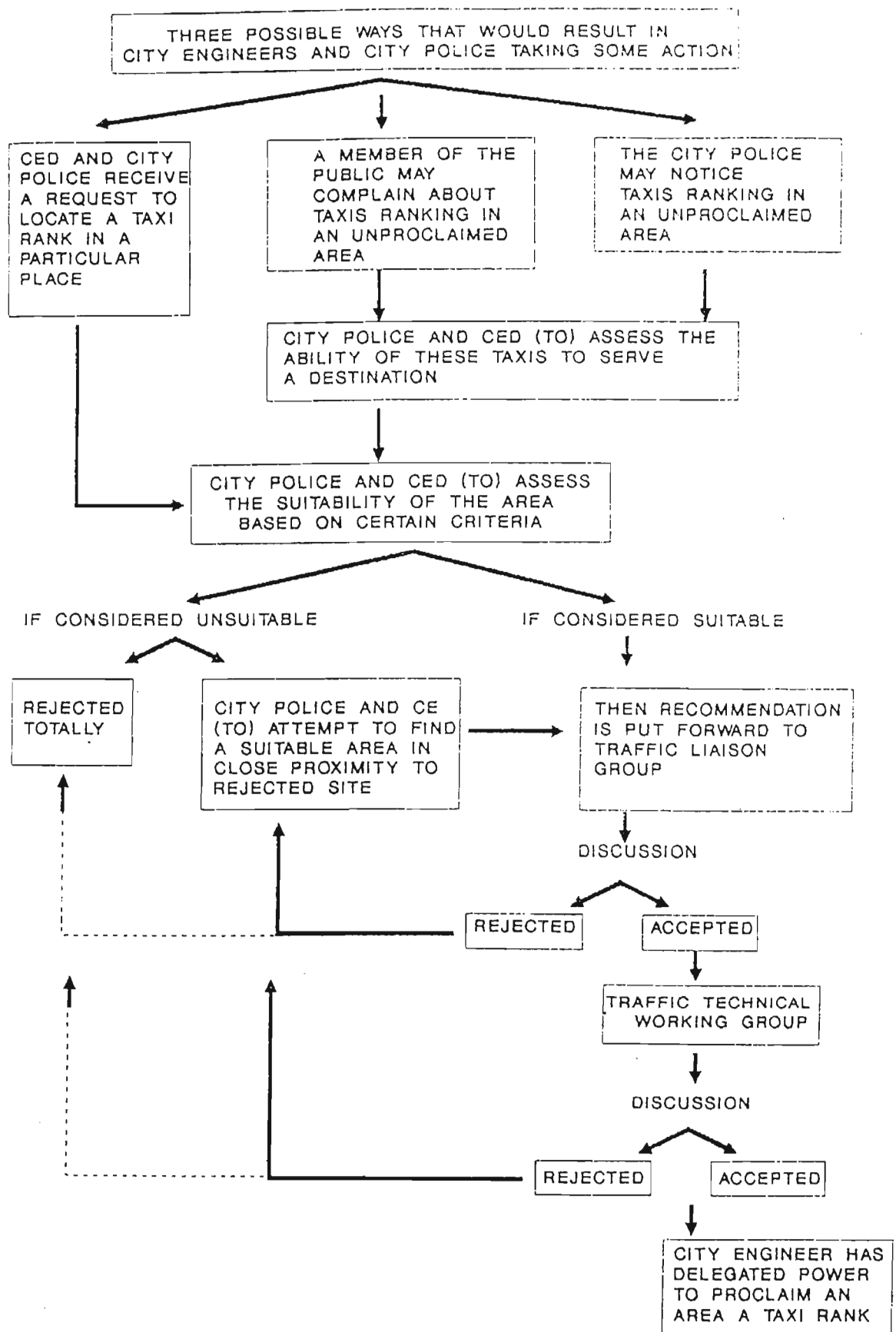
(e) Location of Mini-bus Ranks:

A mini-bus rank can be defined as a demarcated zone for waiting, loading or off-loading passengers [Brunings 1993, p 35]. Until now, the provision of ranks has been ad hoc in response to observed demands, rather than on the basis of a planned provision of mini-buses to cater for future demands.

Currently, there are three possible ways that the location of mini-bus ranks are located. Fig. 2 is a diagrammatic explanation of this process. Firstly, an operator could request the City Engineer's Department and/or the City Traffic Department to locate a mini-bus

SOURCE: CITY ENGINEER'S REPORT

CURRENT PROCEDURE RE: LOCATION OF COMBI-TAXI RANKS



rank in a particular area. Secondly, a member of the public may complain about mini-buses ranking in an unproclaimed area. Thirdly, the Physical Environment or the City Traffic Department may notice the need for mini-bus ranking and may identify a suitable area.

If an area is considered to be suitable as a rank by the authorities, then the following procedure is followed:

- firstly, the City Police and City Engineer's Department discuss the merits of such a rank.
- secondly, a letter is forwarded to the Chief Constable requesting the advertising of such ranks [Appendix 17: Letter of Request to Chief Constable].
- thirdly, if the new rank is approved by the chief constable, then a notice of advertisement is placed in the major newspapers, inviting application from new and old operators [Appendix 18: Advertisement for Ranks].
- fourthly, after the closing date, all the applications are viewed.
- fifthly, the authorities will then decide who should be granted access to the rank. Priority is given to applications as follows:
 - first preference is given to those applicants who are from or reside in the same area as that to be serviced by the rank.
 - second preference is given to new operators from other ranks, in possession of a previous rank permit.
 - third preference is given to those new operators in possession of a Motor Carrier Permit as opposed to those without such a permit.
- sixthly, the authorities make recommendations with regards to whom they perceive qualify to use the rank. These recommendations are then put forward to the Chief Constable of the City Police.
- The final decision on granting the use of the mini-bus rank lies with the Chief Constable, who at present is Mr. A.N.Taylor.
- If applicants are unsatisfied with the outcome, they may then make an appeal to the Transportation Committee, formed by the City Councillors, whose decision the operator has to finally accept.

If an unproclaimed area is already being used by operators as a rank ie. it is an unofficial rank, then the task of the authorities would be as follows:

- firstly, the viability of the service is assessed.
- secondly, the ability of the operator to continue to provide this service is investigated.
- thirdly, the City Police and the City Engineer's Department jointly decide whether an area being used as an unproclaimed rank is suitable as a proclaimed rank.
- if all factors are favourable, then the rank is declared a proclaimed rank and is allocated a rank number.

(f) Provincial Registration Mini-bus offices:

On 1 August 1996, a provincial mini-bus office was established in the province of KwaZulu-Natal by the government. This was the outcome of the recommendations put forward by the National Taxi Task Team [NTTT]. Early in 1995, the NTTT, consisting of members of the mini-bus industry and the three levels of government was established to investigate and examine the mini-bus industry, and to make recommendations to solve some of its problems. One of the recommendations was to regulate and control the mini-bus industry, and the legalisation of illegal mini-bus operators. This is to be achieved through the registration of all mini-bus associations and operators with the provincial registrar. This process is still in its initial stage of implementation and its success will be determined in time.

2.4.2 Role and Function of Internal Organisation within Mini-bus Industry:

Internal organisations and control of mini-bus operations is complex and in many respects fragmented. Generally, there is a lack of consistency in organisational structure throughout the country. Owners have access to a number of different organisations and associations, which offer representation at the national, provincial, regional and local level. Membership to these organisation is voluntary, however, the membership fees vary between organisation. Documentation on and access to information on the number of associations, membership number, aims & objectives of the respective associations is very limited. To gain some insight into the internal control exercised by associations, this section will focus on the South African Bus and Taxi Association [SABTA], in particular, the origin and aims and objectives.

(a) Origins of SABTA:

In South Africa, mini-bus organisation can be traced back to at least the turn of the century [Khosa 1991, p 315]. It was only in the late 1970's, however that attempts were made at consolidating the industry. In May 1980, various regional mini-bus associations from all over the country merged to form an umbrella body called the South African Black Taxi Association [SABTA]. In June 1981, the constitution of SABTA was formally adopted. SABTA has subsequently being renamed as the South African Bus and Taxi Association for reasons of expansion and accommodation within a non-racial South Africa.

(b) Aims and Objectives:

A copy of the associations constitution is enclosed as Appendix 19. From the list of objectives it can be seen that the primary aim of the association was to play a key role in the operation and regulation of the mini-bus service nationwide. According to Freeman et al [1987, p 11], SABTA made it clear it does not seek

a monopoly position as a self regulating body. Instead, the aim was to "promote solidarity with colleagues in other geographical areas and to tackle problems as a united mini-bus front" [Khosa 1991, p 316]. More specifically, the objectives inter-alia were :

(i) Liaise with Controlling Authorities:

SABTA, as a national organisation, wanted the opportunity to give its views to the Department of Transport on matters that affect mini-buses. Furthermore, formalised communication linkages was desirable with various controlling authorities. It was hoped that this would enlighten and educate the respective parties into the problems of each organisation.

(ii) Discuss Changes in Legislation and Regulation:

Through communication with government SABTA aims to steer changes in legislations and regulations so as "to secure as far as possible practicable, uniformity, simplicity and efficiency of the mini-bus business", leading to the overall improvement of the industry.

(iii) Ensure Efficient use of Ranks and Enhance Discipline:

It would be the local mini-bus association's responsibility to ensure that the ranks within its area, operate in an orderly and efficient manner. In addition, it would be the responsibility of each local association to organise queue makers, cleanliness for mini-bus as well as cleanliness for the rank.

(iv) Regulation of Mini-bus Fares:

The setting of fares and ensuring that there is uniformity of fares amongst operators, would be the responsibility of the regional and local mini-bus associations.

(v) Education Programmes to Improve Various Aspects of the Mini-bus Industry:

The aim is to share innovations and improvements that can educate and benefit the whole mini-bus industry.

(c) Membership and Structure:

According to Preston and Rogers [in Khosa 1991, p 316], SABTA had a registered membership of over 20 000 in 1982. By 1989, this figure had risen to over 50 000 members. Presently, SABTA is an amalgamation of some 400 local, 45

regional, and 5 provincial mini-bus associations, each with its own management structure.

The association is hierarchically structured, in which representation at any level is elected from members at the next lowest level. SABTA operates at 4 levels, viz; national, provincial, regional, and local. In Kwa-Zulu Natal, the association at the provincial level consists of representatives from 11 regions in the province. These regions in turn is comprised of 112 local associations [Status Quo Report 1995. p 7-9].

At the local level those associations affiliated to SABTA have different criteria for membership, with the cost of initial registration ranging from a nominal amount to a cost in excess of R2000-00.

(d) Other Local Associations:

In addition to SABTA, which is represented at all levels, other independent associations are also in operation. However, record of such organisation is very limited. According to the Status Quo Report [1995, p 7-9], there are some 20 independent mini-bus associations in the Durban Functional Region. Some of these associations are represented at provincial, regional and national level. The report stated that while many operators belonged to one or the other of these various associations, many of the operators in fact, did not affiliate to any of the local associations.

(e) Local Route Committee:

Almost all of the legal operators belonged to what is known as Route Committee. A route committee consists of members who are representatives of all operators that serve a particular route and use a particular rank. Each route committee operates and functions independently of the other. The route committees draw up their own constitutions, which guide and regulate the mini-bus operation at a particular rank serving a particular destination.

CHAPTER THREE : THEORETICAL CONTEXT FOR THE EMERGENCE AND DEVELOPMENT OF THE MINI-BUS INDUSTRY FROM AN INTERNATIONAL AND SOUTH AFRICAN PERSPECTIVE

In South Africa the public transport system, and in particular the growth of the mini-bus industry has been historically characterised by state intervention. The most recent intervention towards "depoliticising", "deregulating", and "privatizing" the transport industry is a classical example of state intervention. While the present trend in state policy is towards a free market enterprise approach, in order to fully understand this industry it is necessary to place it within a theoretical context.

Accordingly, this chapter opens with a review of international experience of mini-buses. Such an analysis basically within a Marxist framework, will enable better understanding of this industry. Though mostly descriptive, it provides useful insights into the role that mini-buses have come to play in providing a public transport system. The chapter proceeds to examine the emergence and development of the mini-bus industry within the South African context.

3.1. THE INTERNATIONAL EXPERIENCE OF MINI-BUSES:

The mini-bus is not a phenomenon that is unique only within the South African urban transport system. Rather, the introduction and operation of mini-buses locally, is similar to a mode of public transport found in many overseas countries. In many countries the mini-bus service is referred to as the "Jitneys". Taki [1990], defines a jitney as being a "5 to 12 seater passenger car, station-wagon, van and/or mini-bus that is operated along a fixed or semi-fixed route or routes" [in Brunings 1991, p 17].

Vuhic [1981], defines jitneys as "privately owned passenger cars or vans (5 to 15 seat vehicles), which operate on a fixed route (in some cases with minor deviations), without fixed schedules. They pick up and drop off passengers along their route by request" [in National Transport Commission 1984, p 1-3]. Intermediate public transport, paratransit, unconventional forms of public transport, the unincorporated sector of public transport, personalised public transport, these and other synonymous terms have been widely used to describe part of the road public transport which does not conform to the more familiar taxis and buses of the western world.

Jitneys or mini-buses are a form of Paratransit. Vuhic, defines paratransit as "an urban passenger transportation service usually in highway vehicles operated on public streets and highways in mixed traffic; it is provided by private or public operators and it is

available to certain groups of users or to the general public, but adaptable in its routing and scheduling to individual user's desires in varying degrees [Ibid, p 1-3].

The word "Jitney" originated from the flat nickel fare [5 cents], that was charged by early operators in 1910 in the State of California, United States of America. The vehicle that was usually used in those days was a 5-passenger Model T Ford. The introduction of the jitney operations was so successful, that by 1916, 50% of street-car passengers had diverted to the jitney and some 24 000 jitneys were operating throughout the United States of America [Hawkins, Hawkins & Osborne 1982, p 5].

During the first two decades of this century, jitney service became a very thriving business. This resulted in opposition from the transit industry, who complained that the jitneys were "skimming their cream" by operating parallel services on their routes [Ibid, p5]. The heavily subsidised transit industry had effectively defeated the jitney type mode through special legislations. Currently, the jitney type service is largely outlawed in the United States of America [Ibid, p 5].

Since the 1950's, jitney operations have become especially popular in developing countries. The popularity of the jitney in developing countries is seen by Thomson [in National Transport Commission 1984, p 3-3], as being a result of the reduction of the level of service of other mass transport. The poor service was due to low fare levels enforced on operators by government bodies. According to Thomson, " the very low fares and the very poor conditions that are provided at such a price only fulfill the needs of some passengers, others are prepared to pay more for a better service". This attitude by passengers allowed for the introduction of a new type of public transport, viz; jitney or mini-bus, something between the low-grade bus and the high-cost taxi service. However, Thomson notes, that these operations at first flourish, but with the passage of time as the user's standards of life improves and income increases, the market for the jitney/mini-bus type service diminishes. This generalisation is however not applicable to South Africa. In the local context, the service offered by mini-buses is a definite step-up in transport standards for commuters, especially the disadvantagedly located Blacks of South Africa.

Refer to Appendix 19 which outlines the characteristics of jitney type services in developing countries. Surabaya, in Indonesia has an estimated population of 2,3 million. It is estimated that 38,6% of all public transport trips are provided by the jitney, which are locally referred to as "Bemo". The operation of "Bemos" are strictly controlled by the authorities, in respect to fares, routes, total number of vehicles operated and vehicle maintenance. However, there are no special test for driving nor are their hours of work controlled in any way. The "Bemos" are either 3-wheeled, carrying 7 passengers [similar to the tuk-tuk along the Durban beachfront], or 4-wheeled with a capacity of eleven persons. The predominant features of the "Bemo" services in Surabaya are that they conform to the fixed route and fixed fare system and strict governmental control is exercised.

Cairo, the largest urban center in the Middle East, has a population of 8,5 million. It suffers from severe traffic congestion and a heavily loaded network of bus and tram services. Vehicles normally wait until they have a full load and then leave the terminal, rather than leaving at fixed intervals and keeping a few seats available for passengers along the route. Passengers are only able to join the jitneys at min-route when the vehicles stop to drop passengers off. A union of taxi drivers and mini-bus operators run the scheme. It carries out a variety of services, including the organisation of new routes and the determination of the fares to be charged. The union representatives claim that demand exists for at least 2000 vehicles and that the service can be substantially expanded.

In Manila, "Jeepneys" are used as an example of jitney operations. The jeepney service started after World War II, where war-surplus jeeps were quite aesthetically converted into vehicles with a carrying capacity of 10-14 passengers. The jeepney is by far the most dominant mode of transport used. Although jeepneys constitute only 5,4% of the total registered vehicle fleet, 69% of all person trips are made using this mode [National Transport Commission 1984, p C-5]. In order to operate, a certificate of public conveyance has to be granted to the operator. This is very similar to the public carrier permit issued in South Africa. This certificate is issued in respect of the route, the number of vehicles to be used, the schedule of trips and the fares.

Here too, the jeepneys operate in competition to buses and at the same fares. However, neither type of operation can claim a higher status and the choice of using the jeepney is based on the fact that the trip is quicker. According to Roth and Wynne [1982], [in Brunings 1991, p 19], the jeepney industry has significantly contributed to the economy of the country. Statistics indicate that the industry employs some 100 000 people and some 400 000 people depend upon it for their livelihood in a number of ways [Ibid]. Despite their popularity, they have contributed considerably to traffic congestion, and have been associated with hazardous driving, speeding, and chaotic loading & off-loading practices. Furthermore, there is an absolute lack of control by authorities, enforcement of traffic regulation is also lacking, minimal traffic and traffic signals exist, with very few policemen remaining at their designated posts when it rains. This leads to total chaos.[National Transport Commission 1984, p C-6].

An interesting practice is the dual-purpose usage of the jeepney. During off-peak periods, jeepneys are used to transport packages and freights of various kinds in suburban and rural areas [Ibid, pC-6]. The success story of the jeepney is well summarised by Roth & Wynne when they say, "Jeepney operators provide living proof that even the unskilled and poorly educated can succeed through initiative, hard work and calculated risk takings" [in Brunings 1991, p 19].

A study of the jitney type operation in the countries discussed above, as well as examining the general characteristics of those countries listed in Table 1, supports the conclusion drawn by Falk [1979 in, National Transport Commission 1984, p 3-1],

namely that "there is no doubt that in the developing countries, jitney operating are in accordance with the definition normally accepted, namely, that it is an unscheduled service between two fixed points with a fairly fixed route. Although unscheduled, the number of vehicles on the road at any given time is such that headways are short. Fares are normally flat fares and slightly higher than the alternative conventional public transport mode, usually the bus. Also they have thing in common, namely that they serve high demand areas for the particular type of service offered".

3.2

OPERATIONAL CHARACTERISTICS OF MINI-BUS OPERATIONS IN SOUTH AFRICA:

In this section some of the salient transportation characteristics which makes the mini-bus service unique and characteristically different from the conventional modes of transport are discussed.

3.2.1 Mini-buses- What are they?

The term refers to passenger vehicles which are capable of transporting people, with a legal capacity of 9-16 passengers [Durban City Engineer's 1991, p 4]. Mini-buses travel the same route 99% of the time, operating from the same loading points to a determined destination. Most mini-buses only move off when full [Moorhouse 1993, p2].

It must be noted that in South Africa, unlike other countries where mini-bus type service exist, there is no officially recognised term or concept that has been used to refer to this ode of transportation. Various literatures make use of interchangeable terms to refer mini-buses, these include "combi", "black taxis", mini-bus taxis", "taxibuses", "kombi". For the purpose of this research the term mini-bus has been used throughout the report. In some instances other terms have been replaced by the term mini-bus, for the sake of convenience.

3.2.2 Main Characteristics of Mini-buses:

(a) Mini-bus Ownership:

There are basically two types of mini-bus ownerships, viz ;

- (i) Single mini-bus owners - This type of ownership involves one vehicle and one owner.
- (ii) Fleet owners - This type of ownership involves more than one vehicle and there maybe a single or more than one owner.

In South Africa an accurate estimate of mini-bus ownership is very difficult, in light of the large number of mini-buses operating illegally. Based on a very limited survey conducted in the Durban region, it was found that there was a very high percentage of single mini-bus owners, while a comparatively lower percentage of ownership comprised of fleet owners. The ownership profile was as follows :

<i>OWNERS</i>	<i>PERCENTAGE</i> (%)
one vehicle/one owner	76
two vehicles/one owner	19
three or more vehicles/one owner	5
<i>TOTAL</i>	100

Table 1: Mini-bus Ownership Profile

[Status Quo Report 1995, p7-13]

(b) Mini-bus Operators:

Mini-buses are operated either as:

- (i) Owner Operator - The mini-bus service is provided by the owner of the vehicle. The operation of the mini-bus on an owner/driver basis are said to be in a minority [National Transport Commission 1984, p 3-8].
- (ii) Salaried Operator- The majority of mini-bus services are provided by operators who are employed by the mini-bus owner [Hawkins et al 1982, p8]. The mini-bus owner could employ one of the following methods of operation :
 - the owner provides the vehicle and employs a driver/operator, who receive a salary either on a weekly or monthly basis. After each day of
 - operation the operator hands over the total income to the owner of the mini-bus.
 - the owner hires out his vehicle and the necessary legal permits to an operator. In this instance the operator would retain the income but would pay the owner "rent", an amount mutually agreed upon by both stakeholders.
 - the owner provides only the required permit at a fee to the operator. In this case, the operator has to provide the vehicle for the mini-bus operation.

(c) Vehicle Type and Carrying Capacity:

Traditionally, mini-bus services in South Africa, were typically operated by means of saloon cars. These are large American-styled cars which could carry up to 5 seated passengers with reasonable comfort. However, over the years this traditional large saloon-car type has been virtually replaced by what is referred to as "Kombi" type vehicle. This vehicle has a bus-like appearance. Mini-bus operators prefer this type of vehicle, firstly, because they have a better fuel economy and secondly, it has a high vehicle capacity than saloon cars. Such mini-buses were usually designed to carry nine to ten seated passengers, it does not accommodate standing passengers. However, to a certain extent, the legal requirements have prevented the "kombi" type mini-bus vehicle from operating at the carrying capacity for which they were designed. In recent years, to coincide with the government's relaxation of regulation the vehicles have had to make changes, by redesigning its carrying capacity, enabling operators to accommodate up to 16 passengers.

The most common makes of vehicles presently used for mini-bus purposes include the Toyota Hi-Ace, Nissan E-20, Ford Marathon, Mazda Spectrum, Isuzu Relay, Volkswagen Combi. A photographic illustration of a typical vehicle operating as a mini-bus is presented below.

(d) Type of Service:

There are three types of services rendered by this mode of public transport. These include:

(i) Feeder Services:

Mini-bus feeder services are provided over short distances of 3-5 km. This service usually transports passengers to other modes of transport, such as, buses and trains, but not excluding mini-buses. This type of "shuttle" service usually operates to and from the residential areas and local bus terminal and railway stations [Brunings 1991, p31]. Several surveys completed in recent years estimated the total number 20% of mini-bus services comprised of feeder services [Status Quo Report 1995, p7-13] for the Port Natal-Ebhodwe Area.

(ii) Line-Haul Services:

Mini-bus line haul services operate on major commuter routes, usually

between major residential and/or work and activity centres or from townships or rural areas into the closest town or metropolitan area [National Task Force Team Report 1996, p 67]. This type of service operates within the metropolitan border and can therefore be referred to as an "Intra-Metropolitan" mode [Ibid, p 67]. This service operates parallel to and hence in direct competition with the conventional bus and rail modes. The trip distances of the services vary between 10-25 km. Sometimes, the service can exceed distances of between 35-50 km. It is estimated that approximately 70% of all mini-bus services in the Port Natal-Ebhodwe Area provide this type of service [Status Quo Report 1995, p 7-13].

(iii) Long Distance Services:

A long distance service is a mini-bus that operates between different metropolitan areas or between a township/rural area and metropolitan areas other than the closest metropolitan area. Since this type of service operates between metropolitan/ urban areas/ centres, it can be referred to as "Inter-Metropolitan" mode [National Taxi Task Team 1996, p 68]. Such a service is provided across metropolitan borders exceeding the 25 km limit placed on the line-haul services. According to the Status Quo Report [1995, p40], as estimated 10% of mini-bus services provide long distance services.

(e) Fare Structure:

The mini-bus industry operates without subsidy, where the operational services are unmetred and fares works on a cash-basis only. The fares are generally set by the local mini-bus associations and are effectively controlled by "market forces". Generally, the fares are set lower than cash bus fares. When a fare is increased the normal procedure is that an advertisement is placed in the local paper by the mini-bus association. Also, a small notice is displayed on the side of the window of the vehicle, announcing the fare increase. The local transportation board is also informed of the proposed fare increases. There is no external control on fares.

The fares charged are fixed and no reduction is offered to passengers boarding between pick-up points. The fares are the same for peak and off-peak periods. People carrying parcels are charged the same fare except where additional seats are required for the parcels, in which case an additional fare would be charged for each seat used [Status Quo Report 1995, p 7-24; Brunings 1991, p 40].

An interesting aspect of mini-bus fares is the free market approach, whereby mini-bus operators increase their fares during periods when the demand exceeds the supply. This type of market price adjustments is commonly followed in Gauteng and Pretoria [National Transport Commission 1984, p 16]. This practice is especially predominant on Friday afternoon, where all fares have a surcharge of

between 50c and R1 above the normal standard fare [Ibid, p 16].

3.3. REASONS FOR THE SUCCESS OF THE MINI-BUS INDUSTRY:

The success the mini-bus has experienced in recent years can be measured by the phenomenal rate in the increase in their numbers. Furthermore, the success is also reflected in the increase in the number of commuters who have chosen the mini-bus as a mode of transport, as opposed to travelling by buses or trains. There are a number of outstanding favourable characteristics associated with the services provided by mini-buses, which have greatly contributed to their success. The main reasons for the success of mini-buses will now be discussed.

3.3.1 Frequency of Service:

Vuchic [1981] [in National Transport Commission 1984, p 2-7], states that "the frequency and speed that mini-bus offer are higher than those of buses, at most times during the day". A study was conducted by Joubert [National Transport Commission 1984, p 2-7] to determine the frequency of service and the waiting time experienced by passengers using the mini-bus compared to those using the bus. The results indicated that the waiting time of passengers was 22 minutes and 11 minutes for buses and mini-buses respectively. Both services were provided to the same destinations, however the mini-bus was found to have a higher frequency than buses and implied a much shorter waiting period for its passengers.

3.3.2 Travel Time:

Numerous studies have been undertaken to determine the travel time between point of origin and point of destination of trips. Oosthuizen [1986] [in Brunings 1988, p 43], found that the overall travel time for passengers using the mini-buses in the Rustenburg area was 10-20 minutes shorter, than if they used the bus.

Similarly, Luk [1980, p 75], found that the speed at which mini-buses travelled was one of the most important reasons for mini-buses being preferred by some commuters. His study found that the travel time by min-buses between Soweto and Johannesburg varied between 20 to 60 minutes compared with travel times of between 60 to 105 minutes by bus, depending on origins within Soweto [National Transport Commission 1984, p 2-9]. The travel time for trips is thus generally much shorter for mini-buses as compared to buses, thereby making this mode of transport very attractive to commuters.

3.3.3 Location of Ranks:

Hawkins et al [1982, p 46] have found that the location of mini-bus ranks also significantly influenced commuters choice of the mode of public transport. The study found that in many cases the mini-bus ranks are located closer to the core of the CBD

than are the bus terminals. Ranks are thus situated closer to sites of employment, railway stations, and other activity centres, thereby facilitating easy transfer for commuters. This advantage of rank location also contributes to the already more favourable journey times associated with mini-buses.

3.3.4 Safety:

The criteria of safety refers not only to safety from accidents, but also to the perceived protection against crime, robbery, attack and mugging. Mini-buses are perceived to be a safer mode of transport as compared to the bus or train for the following reasons:

- the opportunity for crime is considerably reduced due to the lower level of crowding at the mini-bus ranks as compared to bus and/or train stations [National Transport Commission 1984, p 2-12].
- mini-bus transports its passengers much nearer to their homes than the bus or train, thereby reducing the walking distance the passengers from the railway/bus station to home. This shorter walking distance reduces the risk of crime and robbery [Hawkins et al 1982, p 13].
- mini-buses are characteristically less crowded than buses and trains and are therefore perceived as a safer mode of travel especially by passengers carrying parcels and packages [Ibid 1982, p 12].

The higher degree of protection associated with the mini-buses, is reflected in the higher demand for mini-bus services, especially on Fridays and at the end of the month, which are pay-days for many of its users [Ibid 1982, p 12; National Transport Commission 1984, p 2-13].

3.3.5 Flexibility:

Mini-buses are far more flexible than the regular bus and train service. That is, they are able to change with ease the routes on which public transport services are provided. They are therefore able to meet the specific requirements of their users. This ability to change routes also enable the mini-buses to avoid traffic congestion thereby enhancing the speed of operation. Furthermore, unlike the train and bus service which are forced to adhere to a fixed time-table, mini-buses in contrast normally leave the ranks only when full. This flexibility offered by mini-buses, contributes towards making this intermediate mode of public transport to be more attractive to commuters.

From the outset mini-buses, due to their operational characteristics have had an unfair advantage over their cumbersome counterparts, namely buses and trains. With an increase in urbanisation due to the lifting of influx control, more blacks journeyed to urban areas which resulted in an increase in demand. This demand could not be met by the conventional mode of transport. Tolerance on the part of the state and increased demand opened the floodgates for mini-buses.

According to Mr Robin Duff, public relations officer of one of South Africa's largest bus companies PUTCO, mini-buses have been so successful because they can load more quickly, they offer all passengers seats, they render "premium quality service" compared to that offered by buses where only standing room for many passengers in hours is available. Mini-buses pitched in fares in between those charged by private bus companies and the subsidised municipal fares. Furthermore, they offered an origin to destination service. The buses could not offer this service as transport was designed for the convenience of operators and not for commuters. Prior to the arrival of the mini-bus transport services were insufficient to cope with peak hours. Many parts of the townships were inaccessible to buses, this meant that commuters had to walk several kilometres to reach a bus. The mini-buses have been crucial in providing a feeder service to other modes [McCaul 1990, p 66].

The above-mentioned shortcomings of buses and the advantages of mini-buses resulted in the mini-bus presenting itself as an attractive alternative to many commuters. "The dangerous, overcrowded and uncomfortable character of the public transport network provided by the apartheid state played into the hands of black mini-bus industry" [Khosa 1990, p 214]. Although mini-buses charge higher fares than buses, they have nevertheless succeeded in becoming a popular, fast and efficient means of transport for urban commuters. The favourable factors and attributes associated with the service provided by mini-buses, have undoubtedly played a significant role in contributing to their success over the years.

3.4. PROBLEMS ASSOCIATED WITH MINI-BUS OPERATIONS:

While the mini-bus industry can be seen as a solution to many of South Africa's transport problems, it has concurrently given rise to a myriad of problems. Public outrage against mini-buses in cities has found expression in various newspapers. Articles entitled "Mini-bus carnage"; "Mini-bus safety"; "Get them off the Road"; "Mini-bus alarm"; "Chariots of fire"; "All aboard the Time Bomb!" , bear witness to the fact that the mini-bus was indeed viewed and a serious problem on the public road [Refer to Appendix 20 (a)-(f): Newspaper Articles].

One of the major problems presented by the mini-bus industry is the high accident rates. The National Road Safety Council had revealed information which indicated that in the first six months of 1987, more than 18 000 accidents were associated with mini-buses and this has resulted in 10 000 deaths [Khosa 1988, p 326].

Statistics indicate that the mini-bus accident rate has been increasing over the years. The main causes of accidents have been attributed to reckless and high speed driving, gross overloading, unroadworthy vehicles. There has been an increase in 1988 of 19% in the number of mini-buses involved in collisions over the 1987 figures. In April 1988, the then Minister of Transport Affairs, Mr. E. Louw, said in Parliament that, in the last six months of 1988 some 19 000 mini-buses were involved in accidents with 5550

people injured and 310 killed in these collisions. This meant that on average there were 103 mini-bus accidents injuring about 30 people and killing almost 2 people everyday [McCaul 1990, p 99].

The aggressive attitude of most operators and their general disregard for preventative measures has led to a situation where the death rate on South Africa's road is amongst the highest in the world. In this regard, the mini-bus industry has been the focus of attention, not only for legislators but also of the media and through this the general public.

The growing concern within the industry, the authorities and the community regarding safety, led to an investigation into ways of improving standards of operation. This was generally due to the media reporting on collisions involving mini-buses, which reached a crescendo in December 1989. In response SABTA, in January 1990 called a symposium in Pretoria, where interested parties were invited to brainstorm ideas on actions whereby collisions could be curtailed. The symposium resulted in the formation of the Taxi Safety Action Group [TSAG]. The aim was TSAG was to analyse the situation comprehensively and to develop a strategy for immediate action and implementation.

Servas, Ribbens and Miller [1991], reported that TSAG had made significant progress to improve traffic safety in the mini-bus industry. However, while it had achieved some success, there still remained a great number of issues that needed to be addressed [Annual Transportation Convention 1991, p 5].

Other research projects on traffic safety were also undertaken. A research project funded by the Anglo American and de Beers Chairman's Fund and undertaken by the CSIR investigated 500 mini-bus collisions in order to establish the main factors contributing to them. The study found that speed, overloading and defective tyres represented the most significant elements in the collision research. The main recommendation of this study was the implementation of driver training programmes with emphasis on driver skills, safety awareness, and vehicle maintenance.

Secondly, the practice by operators to overload the vehicle has also come under the spotlight. Overloading of mini-buses is directly related to the commission of percentage system that is adopted by many owners when paying their drivers. Payment of salary based on a commission system gives drivers the incentive to overload and drive fast to boost earnings. This contributes to unsafe driving and accidents. According to Mr. S. Mtshatsheni, the public relations officer for the Uncedo Black Service Taxi Association in Port Elizabeth, one of the ways to reduce the accident rate and related problem of overloading, would be through the scrapping of the percentage commission system [McCaul 1990, p100].

Thirdly, in addition to the problem of high rate of accidents and overloading, problems of unfair fare increases by operators further tarnish the industry's image. In 1985, the

National Union of Mineworkers began boycotting mini-buses in the West Rand in protest against their treatment by mini-bus operators who swore at, beat and overcharged passengers. Mini-bus fare increases in 1987 in Natal led to an outbreak of violence between operators and commuters. In November 1989, commuters in Cape Town launched a boycott of mini-buses as feuding began between mini-bus operators, which made travelling by mini-bus unsafe for the passengers [Khosa 1992 (b), p 238].

One of the most disturbing aspects of the mini-bus industry, is the escalation in minibus feuding over the years. Since 1980, no less than 35 deaths of prominent mini-bus operators have been reported in the press. These deaths were directly associated with the mini-bus feuds. The figure however, excludes passengers caught in the cross fire.

In 1988 a mini-bus war in Alexandra led to the death of a white woman, Ethne Ash, a shop-owner, who was hit by a stray bullet during a shoot-out between the Alexandra, Randburg, Midrand, Sandton Mini-bus Associations and the Alexandra Mini-bus Association in Rosebank. The two associations have constantly fought for supremacy over routes and ranking rights.

Drum magazine [July 1989] in reaction to the mini-bus feud in Alexandra, made the following comments:

"the killings were executed during broad daylight, displaying the daring only associated with the mafia.....killers are rarely arrested. And in almost mafia tradition, there seems to be a conspiracy of silence.....no one is willing to talk about the causes of the bloodletting. Inquiries about the killings are met with strong silence. Officials are scared of being quoted in the press".

[Khosa (b) 1992, p 232; McCaul 1990, p 86]

One of the most dramatic mini-bus "wars" occurred in March 1989 in Soweto, when three mini-bus operators were shot dead and twelve injured, in broad daylight with AK-47 rifles. The killings followed a dispute over the plying of a newly founded Soweto-Pretoria mini-bus route. The dispute was between the Baragwanath City Taxi Association, an affiliate of SABTA, and the Federated International Taxi Organisation. [FITO] [McCaul 1990, p 86; Khosa (b) 1992, p 243].

In February 1990, Katlehong became the macabre scene of murder and mayhem. The feud was over a dispute about routes between operators from the Germiston and District Taxi Associations, an affiliate of SABTA, and the newly established Katlehong Taxi Association. The conflict had its roots in November 1989, when the two associations disagreed over mini-bus operations. The Katlehong Civic Associations together with the two associations agreed to sit in on a "peace plan" committee to resolve their differences. However, on 24 February 1990, shortly before the committee could meet a "bloody and ghastly" mini-bus war broke out. This war lasted for some two and a half weeks, which resulted in 80 mini-buses being damaged, approximately 50 people dead and up to 350 people injured. Several mini-bus owners houses were also burnt [Khosa 1992 (b), p 239].

In November 1990, about 8 people were reported killed in another mini-bus feud in a township in the Orange Free State. Also in the month of November 1990, Pat Mbatha, chairman of the Soweto Taxi Association, executive member of the Transvaal Taxi Association and treasurer of SABTA, was shot dead [Khosa 1992 (b), p 239].

Comments have come from many fronts and by various key figures, in reaction to the alarming increase in mini-bus feuds.

SABTA responded to the outbreak of mini-bus feuds by admitting that,

“the mini-bus operators have turned the mini-bus industry into a battlefield rather than a business venture”.

[Khosa 1992, p 233]

The National president of the South African Bus and Taxi Association [SABTA], Mr. James Ngcoya, lamented,

“We are shooting ourselves in the feet! We are destroying ourselves! By the time the fight is over there will be no grass from which to gain sustenance, we will find the economic house forlorn. We will crumble under own weight”.

[Khosa 1993, p 9]

The chairperson of the Multi-racial National Transport Policy Forum, Mr. George Ngota, mourned that,

“We have reached a stage where we bury victims of mini-bus violence everyday, every hour in this country”.

Concern about the increasing violence motivated the forum to convene a three-day conference in August 1993 to formulate strategies to bring peace to the mini-bus industry [Khosa 1993, p8].

It was in reaction to such chronicles of commuter grievances and violence associated with the mini-bus industry that Dr. Ellen Kuzwayo, president of the National Black Consumer Union pointed out,

“The only weapon the voteless majority in South Africa have at their disposal has been consumer boycotts, rent boycotts, mass demonstrations and many other non-violent methods. I want to warn the mini-bus industry that the same may happen to them if they continue to ignore us”.

[Khosa 1992, p 238]

This trend that characterised the 1980's and early 1990's are still very prevalent within the mini-bus industry even today.

Durban, like many other parts of the country also has a very serious mini-bus problem. There have been a number of shoot-outs at mini-bus ranks and from time to time full scale mini-bus wars have occurred. In April 1996, the Cato Crest squatter camp was the scene of large-scale violence. Two mini-bus associations and a gang called "MK Reaction Unit" were hell-bent on destroying one another. Desperate residents caught in the struggle between the Inanda and Cato Crest mini-bus associations and the armed gang said, "the only solution is to withdraw the police and let the rivals kill one another until they are too exhausted to fight and come to the negotiation table. It's the Zulu way" [Sunday Tribune, 28/04/1996].

The reign of terror started earlier in 1996, when a gang of 50 men who had apparently failed to get into the new defence force unit, formed their own local defence unit. The gang offered protection services to outside operators and access to Cato Crest and its commuters. This resulted in a three-way mini-bus war between the Inanda and Cato Crest associations and the MK Reaction Unit. Mxolise Mwandla, secretary of the Cato Crest general council and local ANC branch, said that "there was conflict between two associations that the gang seized the moment to create its own power-base in the absence of effective policing" [Ibid].

Another intense battle field in Durban is the Osborne Street mini-bus rank in Greyville. On February 17, 1996, intense gunfight erupted outside Newspaper House. This was triggered off when a mini-bus owner was ambushed and shot as part of a long running feud between members of the Durban and District Taxi Associations. The ensuing gun battle saw 18 heavily armed men running and shooting at random at Osborne Street [Natal Mercury, 18/02/1996]. On March 10, 1996, minibus violence flared up once again just four days after mini-bus operators agreed to a truce. This time two people were shot dead and six others were injured. Provincial head of the Priority Crime Unit, Senior Superintendent Johan Booysen, said "the shooting was probably linked to power struggle in the mini-bus industry". Some operators stated, "some owners just cannot bear to see another man prosper, so they kill him to eliminate competition" [Daily News, 11/03/1996].

Some of the scars remaining from the above mentioned mini-bus wars are depicted in photos 1 and 2 below.

Photo 1 :



Photo 2 :



The volatile situation within the mini-bus industry has been further exposed in the recent weeks. "Taxi Violence", [Natal Mercury, 28/10/1996]; "Shot fired at Taxi boss widow outside school", [Natal Mercury, 15/11/1996], are some of the incidents to make the headlines in the newspapers [Refer to Appendix 21].

The overview of the mini-bus operations reviewed in this chapter, demonstrates that wherever jitney -type or mini-buses has emerged as a mode of the public transport system, it's basic characteristics and reasons for growth and development have been similar. The widespread occurrence of mini-bus services both internationally and within the South African context suggests that they fulfill a real transport need that cannot be met by the conventional modes of public transport. The change in vehicle type and carrying capacity is indicative of the fact that the market served by this industry has increased. The mini-bus services are patronised and preferred by users because they provide a service that is frequent, saves travel time, is convenient, safe and flexible.

In South Africa however, the successes of the mini-bus industry is paralleled by equally negative attributes. Suffice to say, that if such levels of operation as described in the latter part of this chapter continues, then the mini-bus industry is likely to suffer similar fates to that of their counterparts, viz; mini-bus boycotts and an overall drop in the passenger level.

This section has provided a useful, albeit, a general broad overview on the reasons for the emergence and development of the mini-bus industry, both internationally and within South Africa. However, to fully understand mini-bus operations, it is necessary to investigate and examine this industry at a more localised level. The next chapter deals with mini-bus operations in the Durban metropolitan area, specifically focussing on the case study area of Overport.

CHAPTER FOUR : CONTEXTUAL FRAMEWORK FOR THE OVERPORT MINI-BUS SERVICES AND THE CASE STUDY AREA OF OVERPORT

4.1. OVERPORT MINI-BUS OPERATION:

The purpose of this section is to provide a skeletal background to mini-bus operation, with specific reference to the Overport mini-bus operation. The information presented in this section has been compiled from data that has been collected from various sources, namely, the City Traffic Department, the Overport rank manager, original by-law documents, and personal observation undertaken by the researcher. It must be noted that some of this information although documented officially, most of it exists in a disjointed fragmented form, in various source documents and official recording books. A basic general introduction to the Overport mini-bus operation now follows.

For the sake of clarity, the meaning of certain terms used is given below:

- a legal mini-bus is registered to carry passengers and requires a Certificate of Fitness, and a Public Carrier Motor Permit.
- an illegal mini-bus is not registered to carry passengers and does not have the required certificates and permits.
- a rank is a special parking area set aside by the City Council to be used for ranking purposes ie. waiting, loading, off-loading, and to be used by authorised permit holders only.
- a proclaimed rank is an area that has been proclaimed a rank in terms of the by-laws relating to the allocation of mini-bus ranks.
- an unproclaimed rank is an area that has not been proclaimed a rank in terms of the by-laws relating to the allocation of mini-buses, but is still used by mini-bus operators for ranking purpose, ie. the rank is illegal.
- on-street ranking refers to the setting aside of a portion of public roads [proclaimed or unproclaimed], as special parking places for ranking purposes. Photo 3 below represents an on-street rank.
- off-street ranking refers to an isolated piece of area/space/land [proclaimed or unproclaimed], off the street, used for ranking purposes. Photo 4 below represents an off-street rank.

The mini-bus operation in Overport has been in existence for the past 5-6 years. Presently, there are 15 officially legal mini-buses operating in the Overport area.

Photo 3:



Photo 4:



4.1.1 Rank Number:

Every rank within the Metropolitan area of Durban is allocated an official rank number. This numbering system is controlled by the City Traffic Department. The official rank number for the Overport mini-bus rank is Rank 45. In terms of the road traffic regulation as set out in the Road Traffic Act 29 of 1989, a mini-bus reservation sign has to be erected at the rank [Appendix 22: Schedule 3 of Act 29 of 1989]. This sign indicates to the public road users, that the public road or that portion of the public road is reserved for the use of mini-buses only.

According to the by-laws, the rank sign has to display the following information, namely:

- The purpose for which this portion of the area is reserved. This is indicated on the sign by the use of the letter R, which stands for Rank. The letter R is boldly displayed in white, retro-reflective or semi-matt.
- The type of vehicle that is legally permitted to use this area. This is represented by a symbol diagrammatically representing the type of vehicle. The symbol is also displayed in white retro-reflective or semi-matt.
- Both the vehicle and the rank symbol is against a blue retro-reflective or semi-matt background, with both symbols bordered together by a white border around them.
- Beneath this the rank number appears, which is 45. This is also written in white against a retro-reflective blue background.
- finally, the sign must display the destination served from this rank, which in this instance is Overport.

Photo 5, below is an illustration of the rank sign for Overport, clearly showing all the necessary information.



4.1.2 Location:

The Overport rank is located to the west side of the Durban central area. Map 1, shows the location of the Overport rank in relation to the Durban central area. The rank is located at the tail end of Market Street, more specifically at the extreme right of this street. Market Street runs parallel to Warwick Avenue.

Figure 3, is a diagrammatic illustration of the location of the Overport rank in relation to important land-uses in the surrounding area. The rank is located directly opposite the Berea Railway Station. It lies directly behind the Indian Squatters Market. Furthermore, it is very near to a number of bus ranks and terminals, such as the Victoria Bus Terminal marked (A) on map, which provides a bus service to areas such as Chatsworth, Clairwood, Isipingo, Jacobs, Ntuzuma; the Mansfield Bus Terminal marked (B), which provides a bus service to Phoenix. Also the location of the Overport rank is very close to other mini-bus ranks, such as, the Durban Central rank, marked (C), which is an inner circle mini-bus service providing transport within the CBD; the Phoenix mini-bus rank, marked (D), located on Old Dutch Road; the Ntuzuma and Inanda mini-bus rank, marked (E) on the map, which is an off-street rank located between Centenary Road and Market Street; rank marked (F), which runs to Kwa Dabeka; ranks (G) & (H), which runs to Lamontville and Umlazi respectively.

Furthermore, the Overport mini-bus rank is closely located to many of the educational institution in the area, which include tertiary institutions such as the M.L.Sultan Technikon on Centenary Road; the Natal Technikon on Mansfield Road; and a number of secondary institutions such as the Sastri College High School, the Durban Girl's Secondary School, as well as primary schools close-by such as the St. Anthony's School.

Market Street is Metropolitan Route 4, refer to Map 2, which is a route marker map for the Durban area. The location of the rank enables the mini-buses to gain easy access to other major roads. The M4 links the rank through a short detour to continue as the M4 on Warwick Avenue. This links to the M13 on the left, which is the Berea South Road. The M4 also connects the N3 Pietermaritzburg route. Moving further along, the M4 intersects with the M13 again, but this time it is the Berea North Road, which is running in opposite directions to the Berea South Road, which is city bound. The M4 continues as Centenary Road to join up with M 15, which is Sydenham Road. The rank is therefore ideally located, in that it's location enables the rank to gain easy access to important routes which serve as important linkages between the rank and the study area.

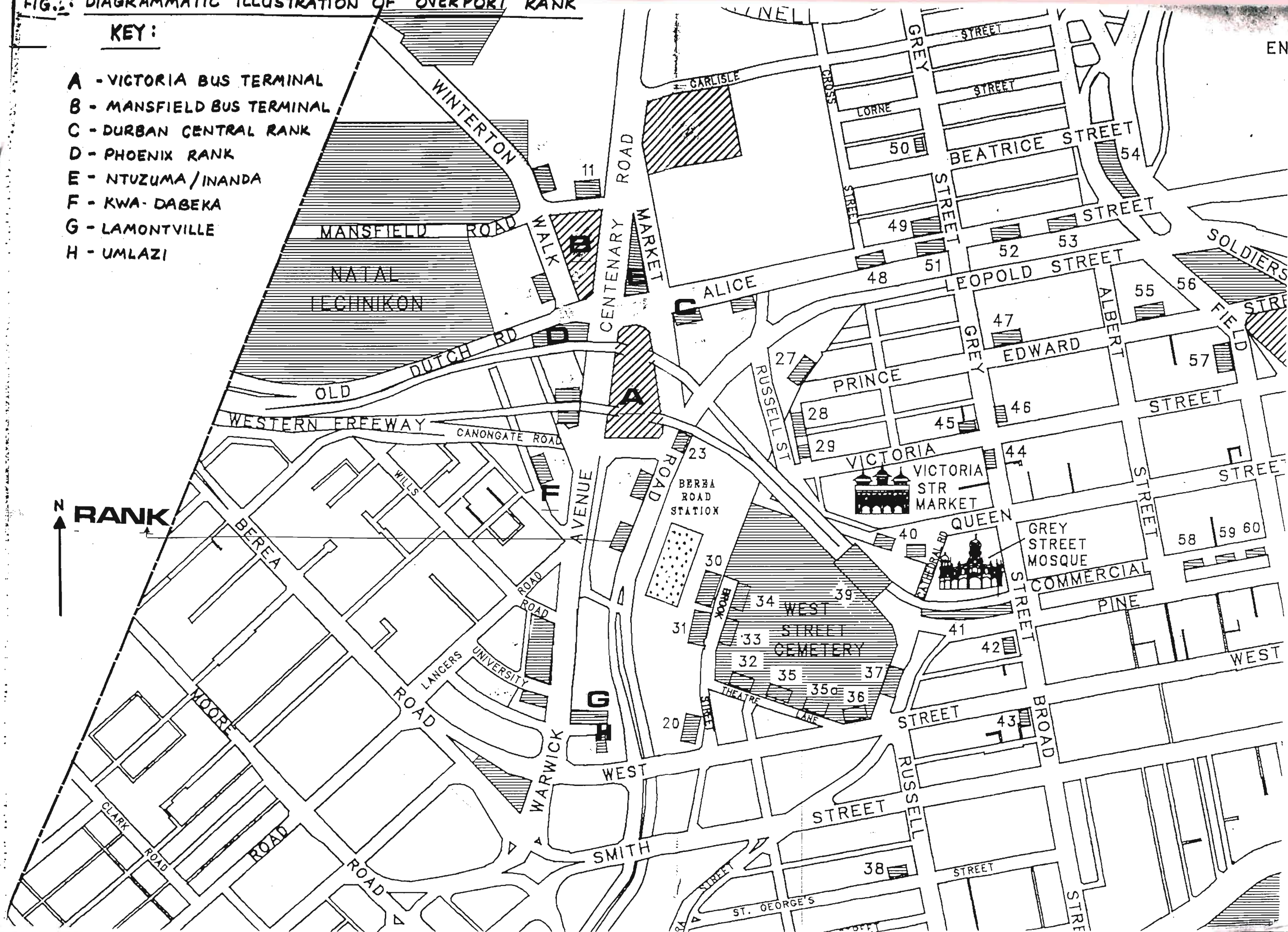
4.1.3 Status of the Rank:

The status of the rank indicates whether or not an area has been formally proclaimed as a rank. The Overport rank is a proclaimed on-street rank.

FIG. 2: DIAGRAMMATIC ILLUSTRATION OF OVERPORT RANK

KEY:

- A - VICTORIA BUS TERMINAL
- B - MANSFIELD BUS TERMINAL
- C - DURBAN CENTRAL RANK
- D - PHOENIX RANK
- E - NTUZUMA/INANDA
- F - KWA-DABEKA
- G - LAMONTVILLE
- H - UMLAZI



4.1.4 Destination:

The destination served from a rank can be categorised into commuter and long distance destinations. Commuter destinations are destinations served within the Durban Functional Region and these destinations are served on a daily basis. Long distance destinations are considered to be destinations served outside of the Durban Functional Region and so these mini-buses probably enter the city 2 to 3 times a week.

Rank 45 serves a commuter destination within the Durban Functional Region. All mini-buses at this rank have permits to serve a single destinations only, namely, Overport.

4.1.5 Rank Size:

The present size of rank 45 can officially, accommodate 8 mini-buses comfortably, that is the City Traffic Department has made provision for 8 bays at this rank.

4.1.6. Rank Permit Data:

Table 2: Permit Data

<i>No. of permits issued</i>	<i>No. of permits available</i>
15	15

- (a) Permits issued : this figure indicates the number of rank permits that have been issued for Rank 45.
- (b) Permits available : this figure indicates the number of permits available for this rank, including those that have already been issued.

From the above data, the number of permits compared to the number of permits available is the same. This implies that for the present moment there will be no more permits issued for this rank, unless the situation warrants such an increase in the number of rank permits issued. Also, it is interesting to compare the rank size with the number of permits that have been granted. The rank has only 8 bays available to mini-buses running to Overport, however at present, the number of permits issued are twice the number of bays.

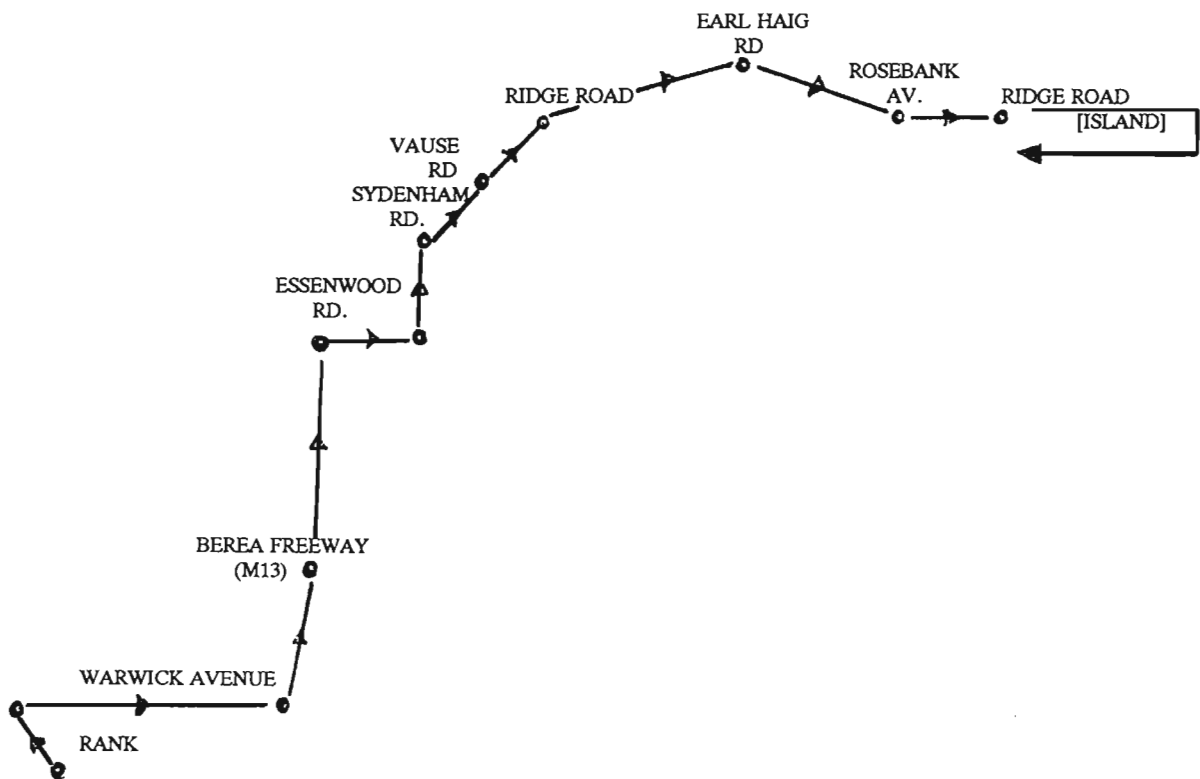
4.1.7 Route:

Only during the morning, the Overport mini-buses operate on two routes to Overport. Route 1, is the mini-bus service running to Ridge Road. Route 2, is the mini-bus service running to Musgrave Road. As mentioned earlier it is only during the mornings that two routes are serviced from this rank. During the rest of the entire day only one route is serviced, viz; the Ridge Road route.

The return journey route is the same for both the Ridge and Musgrave Road routes.

Map 3, shows in detail the routes/roads taken by the mini-buses for both Routes 1 & 2, as well as the route taken by mini-buses for the return journey ie. from the Overport rank to the Market rank.

Route 1: Ridge Road

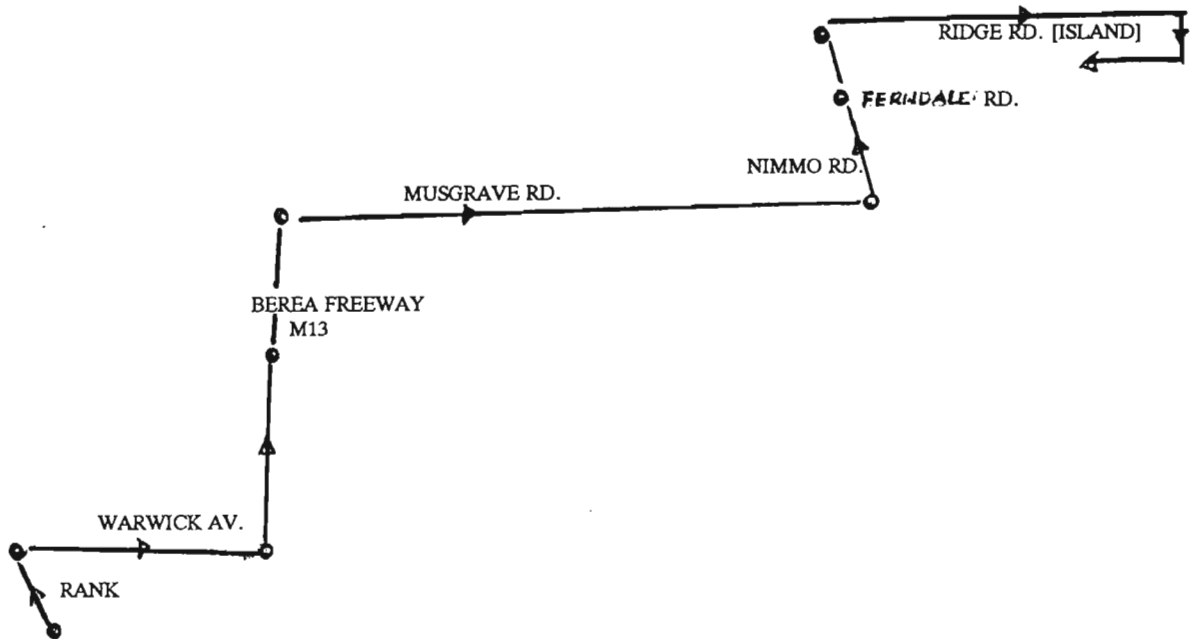


KEY

• NODE

— ROUTE

Route 2: Musgrave Road

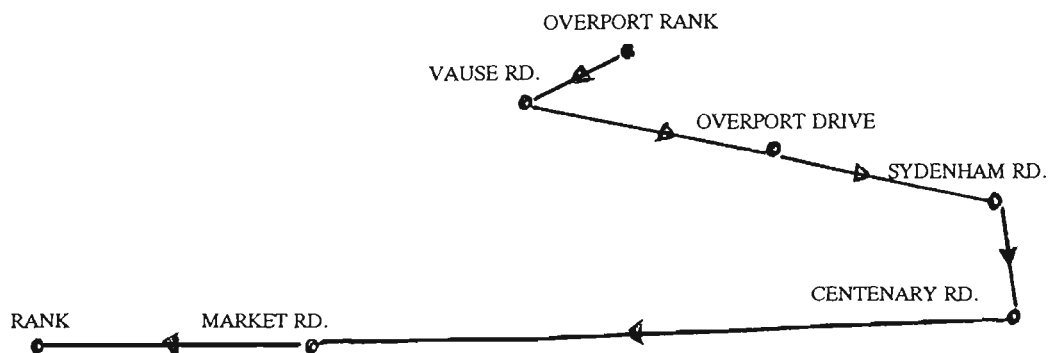


At this point it is worth mentioning an interesting finding on the name given to the Musgrave route, served by the Overport mini-buses. Regular and daily passengers, operators and the rank manager refer to the Musgrave Route by calling it "WASHING". The reason for calling it by this name, was traced back to a huge clock situated at the intersection of Musgrave Road and Nimmo Road. Photo 6, shows the clock that is mentioned. The Musgrave route ends at this intersection, after which it joins up with Ridge/Earl Haig Road. The clock is used as a point of reference, informing commuters, the point at which the Musgrave Road service terminates. The term "Washing" was coined, due to a mispronunciation of the word watch, referring to the clock. Instead of saying "watch", the word "wash" was used instead. And so, the route come to be known as "going to Washing".

Photo 6:



Return Trip: Overport rank to Market rank



4.1.8 Operating System:

According to "Sipho", the rank manager for the Overport mini-buses, all mini-buses operate on what is referred to as a "rotation system". Basically, this system requires the operators to follow a particular vehicle for the entire day. This would depend on the order in which mini-buses queue up at the rank in the morning. This can be illustrated as follows:

if mini-bus 1 arrives at the rank first, followed by 2 and 3, then for the rest for the day, all three mini-buses will have to follow each other in that specific order. At no time during the day, can any mini-bus overtake the other. They are required to rotate for that day in this sequence.

4.1.9 Vehicle Description:

The only common aspect of mini-bus vehicle is that, they all are similar in shape, size and makes/models. Apart from this unifying feature, each mini-bus vehicle is personalised in its own unique way. Extra touches include, brightly coloured mini-buses with graphical design on the body of the vehicle [Photo 7]. Also, most mini-buses have the vehicles named, for example, "Super Cat" [Photo], "The Gentleman" [Photo], and "Seductive Maiden" [Photo].

Various modifications have been made to the interior of the mini-bus vehicles. Most have additional seats fitted over and above the sixteen seats in order to convey more passengers. A common precautionary measure taken to ensure the safety of the operator from possible hijacking, has been the installation of burglar guards. This forms a barrier between the operator and passengers.

Photo 7:



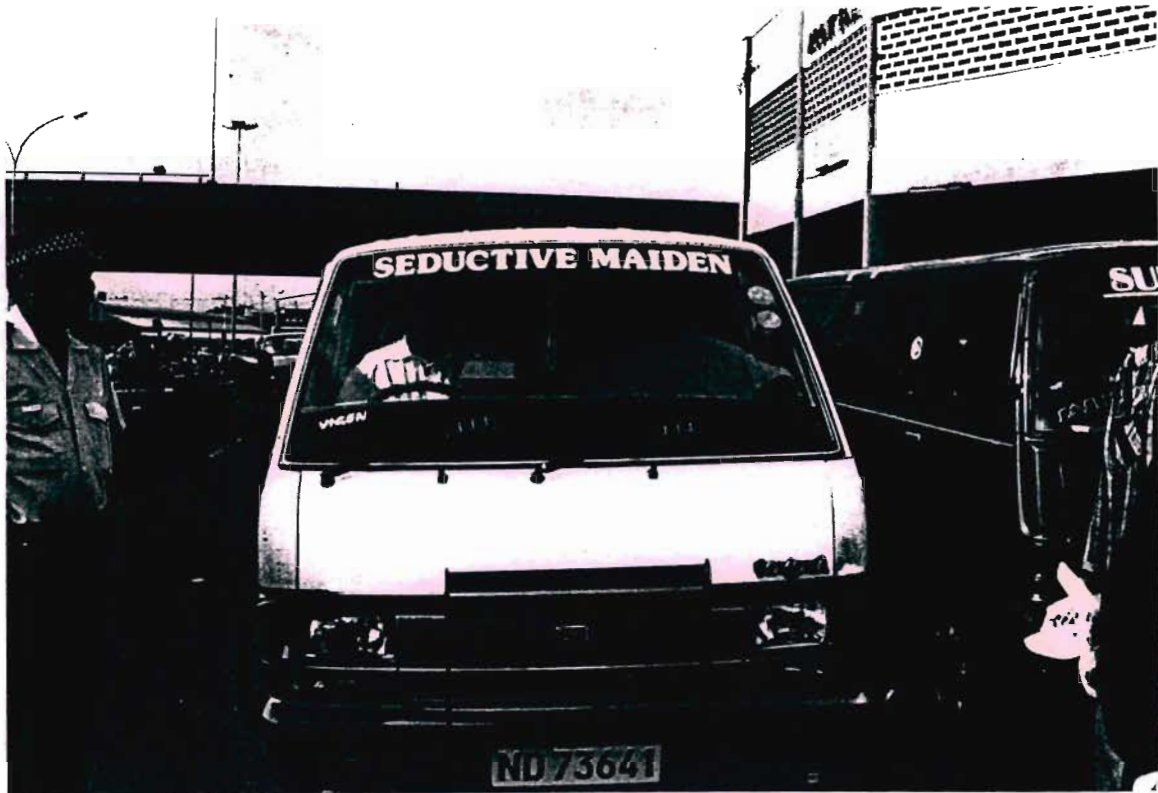
Photo 8:



Photo 9:



Photo 10:



4.1.10 Rank Manager:

The function of a rank manager is to ensure the following :

- firstly, that the mini-buses operate according to and adhere to the rules as determined by the Overport Owner's Taxi Association.
- secondly, to ensure that all mini-buses operating from the ranks are legal and have been granted permission to use this rank.
- thirdly, to ensure that no overloading of passengers occurs.
- fourthly, to enforce the rotation system of operation and to ensure that operators follow this rule for the entire day.
- fifthly, any offences committed by operators must be reported to the association.
- sixthly, to ensure the safety of passengers.

4.1.11 Mini-bus Conductor:

All mini-bus services operating from rank 45 employ the services of a conductor, who is employed by the operator. It was indicated that although employed by the operator, the conductor is nevertheless paid out of the "money bag". This is a term used to refer to the cash takings for the day. Therefore unknowingly, it is the owner of the mini-bus who pays the salary. The function of the conductor is to collect fares from passengers, control the opening and closing of the sliding door during loading and offloading of passengers "go-between" between the operator and passengers.

4.2. CASE STUDY AREA : OVERPORT

The purpose of this section is to introduce the case study area, viz; Overport. This section of the chapter analyses and provides a framework to the Overport area, in terms of the boundary of the study area, topography, road network system and land-use zones. Such an analysis will enable a better understanding of the dynamics within the study area and how the area functions as a unit. Furthermore, it will assist in analysing and conceptualising the relationships between mini-bus services and the land-use activities within the area.

4.2.1 Defining the study area of Overport:

In terms of the Town Planning Schemes, Overport falls within the Berea North District, in particular it forms part of the Essenwood Community. In terms of the Town Planning Scheme the boundary for the Essenwood Community is largely determined by the major routes within the area. Map 4, shows the boundary for the Essenwood Community. The Community is bordered to the south by Sydenham Road, which is Metropolitan Route 15. To the north it is bordered by Springfield/Argyle Roads, which is Metropolitan Route 17. To the west, the boundary is stepped westwards, comprising of East Street, which steps into Chapel Street, linking to Norse Road and finally Hartley Road, which joins up with southern boundary, viz; Sydenham Road. The eastern boundary is formed by Avondale Road and Mitchell Crescent.

For the purpose of this study the boundary as outlined in terms of the Town Planning Scheme has been slightly adjusted. For the study area the south and north boundaries, that is, Sydenham Road [M 15] and the Springfield Road [M 17], have been maintained. The eastern and western boundaries was determined in terms of the major corridors being serviced by the Overport mini-bus services. The western boundary is now represented by the topographical feature, which is the ridge, running north/south within the study area. The eastern boundary is represented by Musgrave Road. The study area is this bordered by:

- Sydenham Road [M 15], to the south,
- Springfield Road [M 17], to the north,
- Ridge Road to the west,
- Musgrave Road to the east.

[Refer to map 4 showing boundary of study area]

4.2.2 Topography:

The topography of the area can represent a major constraint not only in influencing the development within the area, but also determining the road network to enable the area to function as a productive unit. The overall topography within the study area is characterised by hills, steep slopes and a prominent ridge. The extent to which the

study area is characterised by flat land is very limited. It is evident from observations that the topography in the area has played determining factor in the designing and layout of the plots and the road network system.

4.2.3 Road network:

The most important roads and linkages within the study area are shown on Map 5. The most important local major roads run primarily in two directions, viz; north/south and east/west.

(a) Major north/south road systems within the study area:

The most important local roads running in a north/south direction through the study area are Ridge Road, Essenwood Road, and Musgrave Road.

- Ridge Road [marked A on map], is a two-lane two-way road, which serves as a very important collector road for local traffic within the study area. The present road structure cannot accommodate the heavy traffic that passes through this road especially during peak periods. During the day the road becomes a single lane road, because the inner lane on both sides of the road is used for parking purposes. During peak hours it reverts to a two-lane road. Future road widening appears difficult since in some instances the building structures are slightly further away from the road, while in other instances the building structures are close to the road.
- Essenwood Road [marked B on map], is another important collector road within the study area. The lane accommodation throughout this road system varies constantly, changing from two-way two-lane roads to two-way one-lane roads. Nevertheless, potential for future road planning does exist.
- Musgrave Road [marked C on map], also varies constantly in width. Here too, upgrading and future road development is plausible.

All of the above mentioned major roads run parallel to each other throughout the study area. These roads effectively link the study area to the southern and northern parts of the Durban central area. To the south these roads link up with the Berea Freeway, which is Metropolitan Route 13 [marked D on map]. The M 13 provides easy and direct access to the central and southern parts of the city. To the north, these roads link up with Springfield Road, which is Metropolitan Route 17 [marked E on map]. Springfield Road which changes easterly into Argyle Road, links the study area with the northern parts of the Durban central area.

(b) Major east/west road systems within the study area:

The most important local roads running in an east/west direction within the study area are, Springfield Road [M 17], [marked E on map]; Marriot Road [marked F on map]; Sydenham Road [M 15], [marked G on map]. These roads serve an important function of ultimately linking the study area to the central parts of the CBD.

(c) Other minor routes within the study area:

There are other minor routes within the study area which serve as linkages to the major roads within the area. Of these the most important road linkages are Overport Drive [marked H on map]; Nelson Road [marked I on map]; and Waverton Road [marked J on map].

4.2.4 Land-use zones:

The study area comprises of mixed zones. The predominant zone is residential areas. Though, certain amount of land is zoned for commercial use as well. The Town Planning Scheme for the area has been revised twice, once on October 1968, and was subsequently revised in May 1990. During this time changes have occurred in the area. The most significant of these has been the gradual increase land used for office usage. Changes has occurred incrementally through special consent and re-zoning.

The Town Planning Schemes have revealed that there is no real "vision" for the area. Over, the years changes have occurred on an ad-hoc basis. The area appears to be in a state of flux and transition. From a public transport angle it makes it very difficult to plan and meet future transport needs and demands. Not only do the changes make planning difficult for authorities but makes it equally difficult for operators, in that it is impossible for them to determine what long term potential exists for the operation of mini-bus service in the area.

The major land-use zones within the study area include the following:
[Refer to map 4]

(a) Residential development:

Residential accommodation within the study area ranges from individual, single family units to large blocks of flats. The average plot size ranges between 650 square metres to 900 square metres. The location of these tend to follow the official land-use zoning designations.

(b) Commercial activity:

There is mixture of commercial activity taking place within the study area. Most of the commercial activity occurs in clusters. The major commercial activities include offices, petrol filling stations, general dealer stores, hair salons, take-aways, and a shopping centre, viz; Overport City which houses specialised commercial activities eg. banks, clothing stores, and other specialised stores.

(c) Medical facilities:

Two important medical facilities exists within the study area, viz; the McCord Zulu Hospital, accessible from Ridge Road and the Parklands Hospital accessible via Vause Road which westwards becomes South Road.

(d) Special zones:

There are two special zones within the area, designated for the use of institutions for the aged. These include Lucas Gardens on Ridge Road and Farrar House on East Street.

The analysis of the study area has revealed the existence of a combination of land-use zones, functioning intricately with each other. It is of fundamental importance that all factors are taken into consideration in examining and understanding the mini-bus operation within the study area. Finally, future transport planning must recognise and take cognisance of the above factors.

CHAPTER FIVE : SURVEY FINDINGS AND ANALYSIS OF RESULTS

Surveys and interviews were undertaken involving firstly, the owners, secondly, the operators [drivers], thirdly, the users [passengers / commuters], and fourthly, non-users [non-passengers; non-commuters], of mini-buses. The survey included three separate questionnaires:

- A questionnaire for the owners of mini-buses,
- A questionnaire for the operators of mini-buses,
- A questionnaire for the users of mini-buses.

An informal unstructured interview was conducted with non-users.

5.1. ANALYSIS OF MINI-BUS OWNERS RESPONSES:

Surveys and interviews were undertaken with 50% of the Overport mini-bus owners, that is, 7 owners out of a total of 15 were interviewed. Due to the difficulty of conducting the interviews at a centrally located point, many of the interviews had to be undertaken at the homes of the respective owners. The questions of the owner survey is Appendix 23: Owner Questionnaire. Basically, the questionnaire dealt with demographic information and socio-economic characteristics of each owner, status of vehicle, ownership of vehicle, vehicle aspect, operating costs, employer/employee relationship, and affiliation to associations. A detail analysis of owner responses, in terms of the aspects mentioned, follows.

5.1.1 Demographic and Socio-Economic Characteristics:

(a) Residence:

Of all the mini-bus owners interviewed none of them resided in the case study area of Overport. Three of the owners lived in Chatsworth, one in Reservoir Hills, one in Phoenix, one in Umlazi and one in Kwa-Mashu.

(b) Level of education:

The overall level of education of the mini-bus owners was relatively low, with only one owner having completed matric; two completed standard seven; two completed standard six and two completed standard four. None of the respondents possessed any particular specialised skills. The respondents were either retired or semi-retired. All respondents stated at some point in time, they all were "operators" , that is, drivers employed by others.

5.1.2 Status of Vehicle:

In order for any person to operate a mini-bus, he has to fulfill certain requirements in terms of the relevant acts and legislations and the city by-laws, as discussed in Chapter 2. It was noted that of the seven respondents, six were operating as legal mini-bus operators, that is all six were in possession of the necessary document, namely, the Public Motor Carrier Permit, which every owner must possess in order to become a legal mini-bus operator. For the vehicle to legally operate, respondents had to obtain several permits and disc, to enable the vehicle to be used for the transport of passengers. These included, the Certificate of Fitness, the vehicle registration disc [which all motor vehicles must display], and the mini-bus rank disc. For the vehicles to be able to use the official rank, all six respondents were in possession of a mini-bus rank permit for the Overport rank.

It should be noted that the mini-bus operation is a business trading enterprise. The law stipulates that in order to operate any trading business one must obtain a trading licence. For example, if a person intends to open a take-away business, the appropriate trading licence has to be obtained, permitting the person to conduct such a business. Unfortunately, this requirement has not been enforced by any of the government departments. Upon investigating, it was found that authorities were not sure initially who was responsible for the issuing of such a permit. Furthermore, many officials were unaware that such a licence was indeed required. Discussion with the respondents however, indicated that many were fully aware of the existence of such a trading permit. They further commented, that since the authorities were not "too fussy", none have acquired the permit. They added that the reason for not applying for this permit, was due to the fact that it had certain tax implications. Only one respondent was in possession of the trading permit. The four respondents without this permit were not registered as tax payers, whereas the one respondent was a registered tax payer.

One of the mini-bus owners was "illegal", in the sense that, he was in possession of the Public Motor Carrier Permit, but did not possess a Certificate of Fitness, or a mini-bus Rank Permit nor the disc attached to this permit. He was therefore illegally operating on this route.

All of the respondents made the necessary application personally, without consulting with an agency or an association to make such an application on their behalf. One respondent mentioned that he had to employ the services of an attorney for legal representation on an appeal case, where the fees for such representation exceeded R500-00.

5.1.3 Ownership of Vehicle:

All the respondents are private owners of their vehicles. The payment of purchase varied with 57%, i.e. 4 of the owners paying cash for their vehicles and the remaining 43% i.e. 3, of the owners taking a loan from the bank. Of the vehicles purchased for

cash 43% [i.e. 3], of the respondents indicated that the vehicle was insured and the rest of the respondents indicated that their vehicles were uninsured. The very low percentage of vehicles uninsured, could be attributed to the insurance companies insisting on selling "high risk" policies for such vehicles operating as mini-buses. One respondent indicated that the insurance being paid was as much as R1000-00 per vehicle. The political, social and economic environment within which mini-buses operate has resulted in high rates of hijacking, stealing, accidents. While the probability of such occurrences apply equally to all vehicles, they seem to be especially common with this type of vehicle. One of the respondent's vehicle was in fact hijacked a week prior to the interview. The hijack occurred at 6 am. while operating in Overport. Not all mini-bus owners can afford such high premiums. Many expressed the feeling that, they would chance the risk of losing the vehicle, without receiving any financial compensation, rather than have to pay such exorbitant premiums each month.

5.1.4 Vehicle Aspect:

(a) Vehicle Characteristics:

Table 3 below summarises the years in which the vehicle/s owned were manufactured.

Table 3: Year of Vehicle Manufacture

<i>Year</i>	<i>No. of Vehicles</i>	<i>Percentage (%)</i>
1985-1987	3	34
1988-1990	2	22
1991-1993	2	22
1994-	2	22
<i>TOTAL</i>	<i>9</i>	<i>100</i>

Of the 7 respondents, 6 could furnish information related to vehicle characteristics. It was found that 34% vehicle/s i.e. 3, were between 9-12 years old. 22% of the vehicles i.e. 2, were 6-9 years old, 22% vehicles i.e. 2, were between the ages of 3-6 years old. And only 22% of the vehicles owned were relatively "new" or recent models i.e. 3. From the statistics it is apparent that many of the mini-buses namely, 5 of them were between 6-12 years old.

The most common make of vehicle owned by all respondents is the Toyota Hi-Ace. All the vehicles owned was designed with a passenger carrying capacity of 16, including the operator. All respondents expressed the view that the vehicle,

although designed for 16 passengers, could in fact comfortably accommodate more passengers than the legally permitted number of 16 passengers. Most respondents with the exception of one admitted to allowing the operators to carry more passengers than the legally recommended number of 16 passengers. However, the maximum number of passengers owners would permit operators to carry varied between the respondents. Four of the respondents consented to 18 passengers per mini-bus [including the operator], one consented to 17 passengers per mini-bus. The "illegal" operator felt that 19 passengers per mini-bus could comfortably be accommodated in a vehicle designed to carry 16 passengers.

Through observations conducted at the Market rank it was noticed that in addition to the popular Toyota Hi-Ace being used as mini-buses, the following models were also used, namely, Nissan-E20, Ford Marathon, Mazda-Spectrum, Volkswagen Combi, and the Isuzu Relay. Not all these models were necessarily used by the Overport mini-bus operators, but rather it includes models observed at the neighbouring ranks as well.

(b) Roadworthiness of Vehicles:

The onus is upon the owners of the mini-bus to ensure that the vehicle is in a good working and roadworthy condition, to transport passengers. The respondents indicated that maintenance and servicing of vehicles [both minor & major], and checking up aspects related to roadworthiness, was either attended to personally or attended to in a supervising capacity. Some mentioned that if however, the repair was of major undertaking, such as engine-overhaul or replacing the gear box, then they would get assistance from another member of the family or friend with relevant mechanical knowledge. None of the respondents had their vehicles serviced at any major or reputable servicing workshops. Some of the aspects of the vehicles checked on a regular and daily basis were, the brakes, tyres, lights, hooter, indicators and exhaust.

Due to the "jitney" like operation exhibited by mini-buses, they are forced to take-off and stop over very short distances. There is therefore a tremendous use of the brakes. Respondents said that it was very important to ensure that the brakes are in proper working conditions. One respondent commented that due to the operational characteristics of the mini-buses, the brake pads of the vehicle were required to be changed almost every 2 weeks. It was also added that the operating route of Overport requires negotiating slopes with a high gradient, especially Sydenham Road. It is therefore imperative that brakes are checked regularly especially when the trips are downhill.

The "illegal" operator indicated that the used vehicle which was purchased sometime in 1995, has not undergone the fitness test. At the time when the interview was undertaken, the operator stated that the vehicle was still not completely repaired.

(c) Vehicle Accident Rate:

Respondents were unable to provide the necessary data on accidents involving their vehicles. Based on the limited information retrieved, the impression given was that the overall rate of accidents was among the Overport mini-bus operators. According to a few of the respondents the nature of the accident and extent of the damage were both minimal. The cost to repair damages were between R500-00 to R4000-00. However, an accident which occurred approximately one month ago [October], resulted in the death of 2 passengers. No additional information was available. In most instances, respondents indicated that the accident was caused by the opposite party. Very seldom was the accident caused by the operator. One respondent indicated that, whenever an accident occurred, it was necessary to discuss the case with both the operator and the other party, to determine the "truth".

Most of the respondents complimented their operators on taking good care and maintenance of the vehicle. Observation of the mini-buses at the rank, showed that most of the mini-buses were in a good physical condition.

5.1.5 Operating Costs:

The general reaction of all the respondents on questions relating to income and expenditure, was one of suspicion. There was very little correlation between the limited data supplied by respondents. Further, figures provided by respondents could not be confirmed, due to a lack of availability of any data base, against which one could compare figures and examine the degree of correlation. Respondents indicated, that in such a business, there is no real need to keep proper records as they serve no purpose. The information that was supplied was based on "calculated guesswork" and estimations by respondents.

It was thus not possible to establish the operating or running cost of mini-buses, since records of such data was unavailable. However, with the given information it was possible to estimate the mean cost of petrol and wages. They were as follows:

- Petrol : R80-R100 per day.
- Wages : R250-R350 per week.

The following is an illustration of the discrepancies in the responses given by 2 owners, on questions relating to operating costs:

Table 4: Operating Costs of Mini-bus Owners

	<i>Respondent 1</i>	<i>Respondent 2</i>
Gross Income	R5 500-00	R10 000-00
Total Expenditure	R500-00	R7 000-00
Nett Income	R5 000-00	R 3 000-00

Some of the respondents mentioned an additional cost that needed to be added to the overall operating costs of mini-buses. This the respondents referred to as "Piano Money". According to the respondents, over and above the basic salary paid to operators, operators take the liberty to help themselves to the cash takings for the day, to supplement their incomes. The expense "piano money" thus refers to the pilfering of money by operators, an issue which many respondents admitted having no control over.

Some of the respondents also mentioned that in addition to the salary, operators received "meal money" on a daily basis. However, subsequent interviews with many operators, not necessarily employed by any of the respective owners, have indicated that this was in fact untrue.

When questioned on the possibility of replacing the presently operating vehicles, respondents answered as follows:

In the event of the vehicle becoming unroadworthy or too old to operate, all respondents indicated intentions to replace the present vehicle. The vehicle would be replaced with a better conditioned, second-hand vehicle. Most of the respondents stated that the vehicle would be purchased on hire purchase. One respondent however, intended to replace the present vehicle by purchasing a "good scrapped" vehicle from a scrap yard. The vehicle would be totally reconditioned using second hand parts. The respondent stated that both the vehicles currently operating as mini-buses, were acquired in this manner. The purchasing of brand new vehicles for many of the respondents was far too expensive and unaffordable. As some respondents commented that such an investment was unprofitable to them.

The overall operating cost of mini-buses was summed up by one respondent as follows:

"When running a mini-bus business, one is facing a win &/or place" situation. Depending on the run, on a good day you win, making a profit. On a bad day it is a place betting, you just about break even!"

5.1.6 Employer/Employee Relationship:

Most of the employment situations in South Africa is normally regulated by protective labour relations. The employer and employee formalise the agreement by entering into a contract of service. In some instances employers are required to negotiate and comply to certain demands placed by trade unions, regarding the basic working conditions for employees.

(a) Employment Conditions:

The survey revealed that all mini-bus owners being part of the informal business sector, do not abide to legislations when hiring or employing persons. None of the respondents registered any of their operators, including the rank manager employed by the Overport Owner's Taxi Association. The employment relationship between owner and operator is based on a contract that is only verbally agreed upon by both parties. One respondent however, indicated the existence of a written contract, drawn up by himself and signed by the operator hired. The clauses contained pertained to the operator agreeing to the following conditions:

- to bear the costs of any accidents caused by the operator,
- to bear the costs of any fines imposed, due to any traffic violations.

Most of the respondents employ operators by sending out "feelers", to persons within the industry, such as other operators and owners. The following criterias were most commonly considered by respondents when granting employment to an operator:

- operator must possess a valid driver's licence.
- conduct verbal investigations for any criminal convictions, with referrals.

In addition 5 of the respondents required operators of sober habits, i.e. non-smokers and non-drinkers. Moreover, it was necessary that the operator was a "family man". The motivation here, was that, the person would then be required to support a wife and perhaps children too. Such a person would be more committed to working, would come to work more regularly since he has a family to support.

(b) Salary:

All respondents employed and paid operators on a weekly basis. The salary paid is a fixed amount. The average salary ranged between R250 to R350 per week.

5.1.7 Infrastructure:

Almost all of the respondents perceived the following facilities as essential to facilitate efficient mini-bus services and operation, which included:

- washing area.
- area reserved for minor repairs.

With respect to the provision of and/or need of facilities, for operators, the following comments were made by the respondents:

- The mini-bus vehicle "is their rest room". Almost all the respondents viewed the vehicle serving a multi functional purpose. Operators could sleep in the vehicle during off-peak periods, play cards, read magazines. Few of the respondents even suggested that the vehicle provided "an ideal viewpoint" from which to admire passing girls.
- As few as 4 of the respondents however, indicated that there was a need for certain basic facilities at the rank, such as, toilets and water supply.

All of the respondents felt that there was an urgent need for shelters to be provided for the passengers. Overall, the respondents were of the opinion that the provision of any facility for the operators was unessential.

5.1.8 Affiliation to Associations:

Respondents appeared to be very cautious when answering questions related to association, its functions, the aims and objective, problems that the association has had to overcome as far as the operation of the Overport mini-bus was concerned, or how these problems have been resolved, if so. The only information supplied by respondents was the following:

- Every respondent interviewed belonged to the Overport Taxi Owners Association, also referred to as the Overport Route Committee.
- The association represented the members at a local level.
- The members of this association were not affiliated to any other association, local, provincial nor national.
- The association has been in existence for approximately 2 to 3 years, however, members have not yet drawn up, formulated or adopted a constitution for its association.
- Membership to the association was voluntary. At present members were not required to pay any membership fee, but there were hints that such a practice would be introduced in the near future.
- Membership was open only to owners of the Overport rank, excluding all operators.

The following guidelines were used to ensure smooth and efficient operation of the Overport mini-bus service:

- Operators are not allowed to overload. If reports of overloading is received from the rank manager, then operators are suspended or are required to pay a penalty of R300-00, for every extra passenger carried.
- Operators are banned from smoking during working hours.
- Operators are banned from consuming alcohol during working hours.
- Operators are required to strictly follow the rotation system.

While the associations has these few guidelines, and almost all of the respondents stressed, that they are strictly adhered to, observations have found this not to be the case. Moreover, respondents by their own admittance, stated that they would permit their operators to carry extra passengers. It is therefore apparent, that the rules and guidelines of the associations, as suggested and outlined by the owners, are not obeyed and complied with by the all of them.

5.2. ANALYSIS OF OPERATOR RESPONSES:

A survey was undertaken, interviewing 7 operators servicing the Overport study area. These interviews were conducted at the Market Street rank. The questions for the operator survey are in Appendix 24: Operator Questionnaire. Basically , the questions dealt with aspects such as the demographic information on each respondent, driver aspect, vehicle aspect, labour conditions, operating characteristics, infrastructure, and problems encountered by operators.

It needs to be mentioned at this point, that all but one of the respondent were very co-operative. Initially, however they were suspicious regarding the reason for such a survey. Some feared that owners may have access to information revealed, regarding certain contentious issues. A detailed analysis of operator responses will now follow:

5.2.1 Demographic Information:

Almost all of the respondents were between the ages 25-49 years of age. The only exception was one respondent who was 60 years old. Of the total number of respondents of 7, 4 indian and 3 black operators were interviewed. The general level of education was found to be relatively low amongst the respondents. Only one respondent having completed matric, three completed standard 6-7, three having a standard 8-9 pass, two having attained a standard 6-7 pass, and one respondent with an education level of up to standard 3. In addition to a low standard of education, none of the respondents possessed any other specialised skills or any other practical training in any field.

5.2.2 Driver Aspect:

(a) Public Driving Permit: [PDP]

In terms of the Road Traffic Regulation, Section 251, all public operators/drivers of motor vehicles, used for conveying persons for reward purposes must be in possession of a PDP. Such a permit must be in the operators possession at all times. It was noted that all of the respondents were in possession of the PDP.

(b) Driving Experience:

The number of years of public driving experience varied between the operators. It was found that 2 respondents had a substantial number of years of driving experience, ranging between 14 to 18 years. Four of the respondents were relatively "new" operators, with public driving experience ranging between 1-4 years. Only one respondent, namely the 60 year of operator, commented that he has been a public operator all of his life, with the number of years of experience totalling to over 35 years. Generally, the relatively inexperienced public drivers, in terms of the number of years of experience.

It was revealed that 5 out of the 7 respondents have been employed by the present employer for only 1-2 years. One respondent has been employed by the present owner for less than a year. Only one respondent has been working for the same employer for five years. This seems like a substantial number of years, especially when compared to the other statistics. Operators commented that there was a tendency amongst them to change their jobs very frequently, depending on the job offer, in terms of salary. One could therefore conclude that operators in general do not seek permanent jobs, rather, they are always on the look-out for better job prospects.

5.2.3 Job Qualifications:

To qualify for the job of a public mini-bus operator, the only requirement that the majority of the operators had to fulfill was, producing a legal and valid driver's licence. In addition to the above criteria, one respondent stated that references and information on previous place of employment had to be furnished. Another respondent, indicated that possessing sober habits was a prerequisite for the job. Other than meeting these requirements, no other criteria needed to be met by the respondents. It would therefore seem that owners were not too rigid and/or fastidious in selecting the operators. Many did reply that in most instances, even the Public Driving Permit was not really a prerequisite. None of the operators had indicated to taking part in any courses for mini-bus operators. Most explained that there were no courses for mini-bus operators being offered.

5.2.4 Accidents and Traffic Offences:

On the question of accidents only 2 respondents of the total of 7, have not been involved in any accidents, in the last 12 months. The remaining 5 respondents have all been involved in accidents for this year. Most of the accidents were described as minor accidents. It was revealed that in most in all instances costs of the repairs paid by owners. Costs to repair these minor damages could be as much R2000-00, said a few of the operators.

All 7 respondents were guilty of committing some kind of traffic violation during the year. The most common traffic violation was speeding, overloading and ignoring the red robot signal. One respondent admitted to receiving a fine of R50-00, for not wearing a safety belt. From discussions with the respondents it would appear that such violations were the result of sheer negligence and reckless driving by operators. Also it highlights the contradictory statements made by owners and the rank manager, regarding the strict adherence to ensuring that the mini-bus do not overload.

Many respondents indicated that attempts were being made to improve driving skill and avoid future traffic violations. However, from observations of operators driving skills, it is clear that this could merely be "lip service".

When questioned on passengers complaining of operators driving, the general response amongst them was that "they [referring to the passengers] are forever complaining!"

5.2.5 Vehicle Aspect:

(a) Vehicle Model:

The most common model of vehicle driven by the respondents was the Toyota Hi-Ace. Information on the year of manufacture of the vehicle was unavailable. All the vehicles were designed to carry 16 passengers. Like the owners, operators also believed that the mini-bus vehicle could carry more passengers, than the legally permitted number of 16. All respondents stated that they were not allowed to overload at the ranks due to the strict policies of the association and rank manager. Again, this was found to be untrue. Observation at the Market Street rank revealed that during peak periods, i.e. in the morning it was noticed that almost every mini-bus leaving the rank area was overloaded, carrying 1-2 extra passengers. When confronted, the rank manager admitted to allowing overloading some of the times, contradicting the previous statement made by operators.

(b) Roadworthiness of Vehicle:

The checking of aspects to ensure the roadworthiness of the vehicle was conducted on a regular basis by operators. Four of the respondents examined the vehicle on a daily basis and the rest conducted checks once a week. The most common related aspects checked are the tyres, brakes, water, oil and brake fluid. Any mechanical problem encountered, had to be reported to the owner of the mini-bus, who would carry out the necessary repairs. On the basis of the physical examination undertaken of vehicles, it is evident that at least on the "outside", they appear to be in a roadworthy condition.

On the point of roadworthiness of the vehicle, some observations made during the field trip may be of relevance at this juncture. Photos 11/12/13, shows one of the vehicles operating on the road as a mini-bus. The mini-bus in question does not operate from the Overport rank. Furthermore, nor does it belong to any of the Overport mini-bus owners. Instead, this vehicle was running an inner circle service, between Kenville and the Pick 'n Pay Hyperama in Durban North. The photos reflect the roadworthy condition of this vehicle. It is obvious that such a vehicle should not be allowed to operate as a mini-bus. It was noticed that, not only was the stand supporting the steering wheel glued together, but it was also held together by pieces of fabric. The accelerator peddle was rusting, loose wires were hanging, the door frame was also rusting, the windscreen was cracked, windows were missing, the number plate was tied to the front bumper with a piece of wire, and the exterior of the vehicle needed panel beating. It can be added that unlike the Overport owners and operators who maintain the vehicles, there are other owners and operators who neglect this aspect, which could have serious consequences.

Photo 11:



Photo 12:



Photo 13:



(c) Vehicle Identification:

Most of the respondents indicated that passengers did experience problems in identifying the mini-buses on the road. This is due to many company's using vehicles similar to the mini-bus. Operators also noticed that passengers would sometime mistakenly take another mini-bus into the city centre. This often occurred when other route operators pass through Overport, using alternate routes to get to the rank. In doing so they poach passengers. It is therefore very difficult for the passengers to recognise the Overport mini-buses from others operating in other areas. This can be attributed to the fact that there is no distinct and unique feature that isolates the Overport mini-buses from any other mini-bus on the road.

(d) Other Vehicle Characteristics:

It is very common to observe mini-buses with tinted glass and windows. According to the Road Traffic Regulations, Sub 396, Section (4), every window pane, windscreen and transparent partition of a mini-bus shall be maintained in a sound, unbroken and CLEAR condition [Refer to Appendix 25]. Respondents indicated that none of them drove vehicles that were tinted dark, but some were very lightly tinted.

Observations of mini-buses at other ranks were found to have windows that were in some instances opaque. This is clearly contravening the regulations. The tinting of windows is justified as benefiting the passengers, protecting them against the harsh sun rays. On the other hand, it could be done with hidden motives and intentions, namely, to obscure the overloading of mini-buses.

5.2.6 Labour Conditions:

(a) Employment Conditions:

Being employed in the informal sector, places the operator in a very disadvantaged position, in terms of employment conditions. None of the respondents were registered in terms of the Labour Relations Act. The labour practice within the mini-bus industry is also unconstitutional in terms of Section 27 of Act No. 200 of 1993,[the interim constitution], which provides as follows:

- Every person shall have the right to fair labour practices,
- Workers have the right to form and join trade unions, and employers shall have the right to form and join employer's organisations,
- Workers and employees shall have the right to organise and bargain collectively,
- Workers shall have the right to strike for the purpose of collective bargaining.

It was found that none of the respondents had any written or formal contract with their respective employers. Working conditions are agreed upon on a verbal basis. The prevailing labour relations within the mini-bus industry would imply that, the respondents would not qualify for any benefits, example, pension fund, overtime, medical aid, sick leave, bonus etc.

(b) Salary:

All respondents were paid salaries on a weekly basis. The salaries ranged between R250-00 to R350-00 per week. This salary structure was applicable to all except one respondent, who was paid a salary of R500-00 per week. This discrepancy in salary can be attributed to the fact that the respondent was a relative of the mini-bus owner. With the exception of this particular respondent, all the others expressed the feeling that they were grossly underpaid. When questioned on what respondents thought would be a fair salary, most of them replied, that a salary ranging between R400-00 and R500-00 a week was reasonable. None of the respondents made mention of the "piano money", which owners accused them of appropriating.

(c) Working Conditions:

All respondents worked 7 days a week. The range of mini-bus operating hours are 12 hours minimum and 14 hours maximum. There is no official starting and finishing time. Furthermore, there is no official break period. This would mean that the respondents spend most of their working day in the mini-bus vehicle. If they were out of the vehicle, then respondents stated that they would have to be in the vicinity of the mini-bus. Respondents mentioned that they were strictly forbidden to leave the vehicle unattended for any period of time. It was also added that, if personal errands needed to be undertaken, then respondents ensured that the conductor of the mini-bus was left in charge.

It is obvious that the mini-bus operator works a very long day, with no fixed number of working hours per day. As long as there were passengers to transport, respondents had to work, irrespective of the lateness of the hour. A very large number of the respondents finished work at 7p.m. or as late as 7:30 p.m. These mini-bus operators could be providing a service for those who finish of work very late, or those who work night shifts. Another reason for the long working hours could be attributed to the fact that the bus service in Overport terminates at 4:30 p.m. Many passengers wanting to get to or get out of Overport, are dependent on the mini-bus service. Providing a more personalised service forces the operators to work these long hours.

It is therefore, not surprising that respondents complained of fatigue, exhaustion, headaches, and hearing impairment [caused by traffic noise]. Respondents indicated that these signs were prevalent during midday but became intense by the time the last trip for the day was completed. Respondents attributed their physical and mental exhaustion to factors such as:

- Physical restriction within the vehicle - no mobility, lack of spaciousness and comfort,
- Pressure from owners to increase the days cash takings,
- Too long working hours.

Overall respondents expressed a high degree of dissatisfaction with the present working conditions.

5.2.7 Operating Characteristics:

(a) Operating Time:

The average operating time at which respondents commenced work is 5:30 a.m. Almost half of the respondents i.e. 5 of them, commenced and ended their first and last trips respectively, in Overport. The time at which work terminated for the respondents varied, between 6:30 pm. and 7:30 pm. As mentioned earlier, there are no fixed working hours for mini-bus operators, with most of them on average, working for 12 hours per day.

(b) Trip Length/Time:

The length of the mini-bus trip from the Market rank to the Overport rank is approximately 6 kilometres. During off-peak periods the time taken to complete the trip, single way, ranged between some respondents taking 30 minutes, while others taking 10 minutes. Responses to time taken to complete a single trip during peak periods also varied markedly. Almost all of the respondents gave times ranging from 5-15-20-25-35 minutes. Therefore there was no correlation in answers given by respondents. Also, such information is not really monitored nor recorded, and respondents were merely making estimates. None of them were certain of the answers given.

(c) Peak/Off-Periods:

Questions relating to peak and off- peak periods were very poorly answered by all respondents. The fact is that none of the respondents were able to provide any accurate data or information on any of the following related aspects, namely,

number of trips during peak and off-peak periods, total number of trips during peak and off-peak periods, number of passengers during these periods, average of the total number of trips per day, average of the total number of passengers transported per day. The only information that was supplied by some 5 respondents were related to the peak periods for weekdays and weekends. These were as follows:

Table 5 : Peak and Off-peak Periods of Mini-bus Operations

	<i>Weekdays</i>	<i>Saturdays</i>	<i>Sundays</i>
<i>Morning</i>	5:30 am - 9:00 am	Busy	No
<i>Midday</i>	Off-peak period	throughout the	Fixed
<i>Afternoon</i>	3:00 pm - 7:00 pm	day	Pattern

From the above statistics it would seem that during the weekdays there is fixed peak and off-peak period. However, over the weekends especially Sunday, operations depend upon the demand which fluctuates throughout the day. The weekday pattern can be attributed to the fact that in the mornings passengers going to work, would require the services of mini-buses , therefore demands would be higher at those times especially between 6:30 and 9:00 am. However, for the rest of the day, the flow of passengers is reduced, as a result demand for mini-buses during midday is less. In the afternoon with passengers wanting to return home, the demand for mini-bus services once again increase. The peak periods of the min-bus operations therefore strongly coincide with the general office working hours. On Saturdays, with many passengers probably not working, the pattern is somewhat different. The mini-bus may now be used for other purposes and not specifically to get to work. Depending on the purpose of the trip, demand occurs throughout the day. On Sundays the purpose of the trip may be restricted to visiting, an activity not conducted at any particular time of the day. Rather it is an activity that can take place at time of the day. This therefore makes it difficult to predict the peak and off-periods, with any amount of certainty.

(d) Fare:

The fare charged per trip, single way is R1-50. The fare is determined and set by the Overport Taxi Owners Association. The fare is fixed, irrespective of where along the route the mini-bus is hailed.

5.2.8 Infrastructure:

(a) Rank Size:

Respondents indicated that one of the major infrastructural problems experienced was that related to rank size. Six of the seven respondents indicated that the rank size was inadequate to accommodate the number of mini-buses operating from this rank. The inadequate rank size force operators to double and triple park on the roadway. This in turn can contribute to traffic congestion and obstruction to other public vehicles. Many respondents reported that they were forced by traffic officials to cruise around the area, until parking space was made available. This respondents said, was very frustrating, in that they have follow and wait in the traffic. Further, it sometimes increased the petrol cost for the day. This implies that operators are answerable to the owners for the high petrol. expenses incurred on those particular days. Respondents overall remarked that a larger rank was desperately needed to facilitate better operation of mini-buses.

(b) Location of Rank:

All of the respondents were very satisfied with the present location of the mini-bus rank. The rank was said to be ideally located, making it convenient and very easily accessible to most of its passengers. Respondents reported that relocation would only be considered, if the rank was centrally located within the CBD. Respondents were also questioned on the level of safety within the rank area. They disclosed that the rank area was made relatively safe for passengers. Respondents ensured that passengers were not harmed in any way, adding that severe actions were taken against those offenders who attempted or were guilty of pick-pocketing and mugging passengers. It would seem that passengers find themselves in a paradoxical situation. On the one hand their safety is ensured by the operators, only to find that the very same operators who guard their lives at the rank, place their lives in jeopardy with negligent driving. [Based on responses from user survey, on operator driving skill].

(c) Road/Route Infrastructure:

Respondents indicated that the general conditions of the road was good, that is, the. road was well tarred, the lanes were well demarcated, and there were adequate road signs on the route. However, respondents reported that the lane accommodation along the route was inadequate. Moreover, section of the route suddenly changed from 2 to 3 lanes and then back from 3 to 2 lanes.

Also, it was also expressed by the respondents that there was a total absence of stoppage bays, display signs for mini-buses, stopping points and lack of shelter for

passengers. Such shortcomings in infrastructural provision, undoubtedly present problems to both the operators and passengers. Another issue raised by a few of the respondents pertained to the lighting of the road system, which also presented a problem both to operators and passengers alike. This was especially true during winter, when it became darker much sooner during the day. The risk of getting hi-jacked and mugged was increased by poor lighting on the road.

5.2.9 Problems Encountered by Operators:

The majority of respondents indicated that, the greatest problems were experienced with owners of mini-buses and secondly with passengers using the Overport mini-bus service. With regards to the owner, the general sentiment amongst the respondents was that owners were unwilling to listen to operators grievances, especially those concerning working conditions. Respondents also mentioned that they felt pressurised by owners to increase the days profits.

Passengers also presented a problem to the respondents. A dominant complaint levelled against passengers was that they were "full of complaints" ; they tend to make too much noise; passengers were inconsiderate and too demanding. Operators continued by adding that many passengers were "too lazy". They force respondents to make too many short stops, at close intervals to each other. Further, passengers do not co-operate in terms of the seating order when loading at the rank. Some passengers who need to alight earlier in the journey are advised to sit in the front rows of the vehicle. Often passengers tend to become difficult by insisting on sitting at the back of the vehicle. This causes a great deal of delay for the operator and other passengers. It often results in quarrels, between passenger and operator, operator and conductor, as well as between passengers.

Respondents also complained that, passengers were inconsiderate when paying the fares. It is not uncommon to be presented with a R20 or R50 note, when paying for a fare of R1-50. The difficulties of having to give the change are all too obvious.

Only one respondent indicated experiencing problems of harassment from traffic officials. Almost all of the other respondents, complimented the traffic officials for undertaking a difficult task and doing a "good" job. The overall impression one gets of the relationship between traffic officials and mini-bus operators of the Overport rank, is one of mutual respect.

5.2.10 Facilities Needed:

Respondents did indicate a dire need for certain basic and essential facilities at both the ranks. Respondents endlessly complained about the lack of facilities provided at ranks for operators. Facilities most urgently required included, toilets, a rest room, washing area, bins and shelter provision.

5.3. ANALYSIS OF USER RESPONSES:

A questionnaire was administered to mini-bus users at both the Market Street and Ridge Road ranks [Appendix 26: User Questionnaire]. A total of 15 users were interviewed. Eight of the questionnaires were administered to users at the Market Street rank and 7 were administered at the Ridge Road rank. One of the major problems encountered in conducting these interviews was the time constraint. Due to the nature of the mini-bus services, it was not possible to complete the interviews at the ranks. Consequently, the interview had to be continued at the users place of work or place of residence. The survey questions basically covered aspects such as, demographic information, socio-economic characteristics, nature of journey, reasons for using the mini-bus, problems encountered with mini-service. A detailed analysis of users responses follows.

5.3.1 Demographic Information:

93% of the respondents interviewed fell within the 25-49 years age group, thereby mostly representing a segment of the economically productive age-group. There was a higher percentage of females interviewed, approximately 80% of females, as compared to 20% males interviewed. The higher percentage of females interviewed would imply that the Overport mini-bus services is patronised more by females than males. This can be attributed to the fact that Overport is basically zoned as a residential area. This provides employment opportunities for many females as domestic workers. Not all employees are in a position to provide accommodation for their domestic workers. Therefore, many of them have to travel daily between home and work, especially when "live-in" accommodation is unavailable.

Furthermore, areas along the route served by the mini-bus is also zoned for many commercial, medical and educational purposes. Most of the commercial employment opportunities are offered by the 2 major shopping areas, namely Overport City which is situated within the study area, specifically on Ridge Road. Secondly, Musgrave Centre located on Musgrave Road, which although situated out of the study area, it nevertheless lies along the route serviced by the Overport mini-buses.

Another major source of employment are the various medical facilities in the study area, namely, the McCords Zulu Hospital, situated on McCord Road and Parklands situated on Hartley Road. Also, there are 2 Homes for the Aged, which falls within the study area. The first is Lucas Gardens situated on Ridge Road and the second, is Farrar House situated in East Street.

Many of the employment opportunities within the study area offers jobs more suitable to females. This would therefore adequately explain the high percentage of females using the mini-buses.

5.3.2 Socio-Economic Characteristics:

(a) Level of Education:

Table 6 below, represents data concerning the users level of education.

Table 6: User Education Level

<i>Level of Education</i>	<i>Percentage (%)</i>
Standard 3 or lower	13
Standard 6 and 7	27
Standard 8	20
Standard 10	33
Diploma	7
	100%

Of the 15 respondents only 7%, which represented one respondent, held a diploma from a tertiary institution. This respondent indicated that a monthly salary of R4000-00 was earned, being employed as a professional medical person at a hospital. 33%, that is 5 of the respondents, completed their schooling with a matric certificate. Their occupation, working status and salary is as follows :

Table 7 : Working Status of (5) Mini-bus Users

<i>Number of users</i>	<i>Occupation</i>	<i>Working Status</i>	<i>Salary (Rand)</i>
2	Unqualified Nurses	Studying & Working	1 000 to 2 000
1	Skilled	Employed	1 000 to 2 000
2	Skilled	Employed	2 000 to 4 000

The 3 respondents with a standard 8 level of education were employed as semi-skimmed workers, with an average income of between R1000-R2000 per month. 5 respondents received a standard 6 or 7 education. They were employed as unskilled workers, with an average income of approximately R1000-00 to R2000-00. Only one respondent had a standard 3 level of education, employed as an unskilled worker, earning a salary of about R500-00 per month.

From the above data, it is interesting to find that, the mini-bus service is not restricted to users with a particular level of education or belonging to a particular income group. Rather, the data reveals that a wide range of users with a varied socio-economic background use the Overport mini-buses. Furthermore, none of the respondents interviewed possessed or owned a motor vehicle. However, only 2 respondents indicated they had access to a private motor vehicle, owned by another member of the family.

It can therefore be said, that the Overport Mini-bus service is patronised by a diverse range of users with no one particular socio-economic group dominating the ridership. Furthermore, all of the respondents had no access to a personal or private motor vehicle. This would imply that they are totally dependent on the public transport system for almost all of their travelling requirements.

5.3.3 Nature of Journey:

(a) Length of Mini-bus Usage:

80% of the respondents, have been using the Overport mini-bus service for over 4 years. Most of them have come to depend on this mode of transport since its introduction into the area. Only 20% have been using the mini-bus service for the last three years. Therefore, the respondents interviewed are regular and even daily users, who are well informed to give insight into the operation of mini-buses, especially from a users perspective.

(b) Purpose of Trip:

The 8 respondents interviewed at the Market Street rank, were all making the trip into Overport during the mornings. The main purpose of making the trip was generally to get to work. Of the 7 respondents interviewed at the Overport rank, all were the journey into the city-centre. They too were making the trip to reach work. All respondents indicated that they employed the services of the Overport mini-bus to make the trip back home as well. It can therefore be assumed that all respondents used the services offered by the Overport mini-buses for the main purpose of firstly, getting to work and secondly, getting back home.

(c) Frequency of Trip:

Although the frequency of the specific trip in question was carried out once a day by the respondent, all 15 in fact the services of the Overport mini-buses twice a day. Some respondents also claimed to make the trip on Saturdays and Sundays depending on their respective shifts at work.

(d) Modal Split of Journey:

In order to make this specific trip to work, most respondents with the exception of 2, had to break the journey between different modes of public transport, that is the trip entailed a modal split. To reach the final destination the respondents journey was split between using the mini-bus on the one hand, and/or using the services of the bus, train, or other mini-buses on the other hand. Table 8, shows the nature of the modal split.

Table 8 : Modal Split of Journey

<i>Mode</i>	<i>Number of Users</i>	<i>Percentage (%)</i>
Bus	7	54
Train	2	15
Mini-bus	4	31
<i>Total</i>	<i>13</i>	<i>100</i>

As mentioned earlier, of the 15 respondent interviewed, 13 respondents indicated that they had to make a journey involving a modal split. From the above table, it is apparent that a relatively high percentage of users journey is split between using the Overport mini-bus and the bus [54%]. This is followed by 31% of the users splitting the journey between mini-bus and mini-bus mode. Only 15 % of the respondents indicated that their journey was split between using the mini-bus for one trip and the train services for other trip.

The fact so many of the users had to split their journey between the Overport mini-bus and some other mode, is a reflection of the significant contribution that this service is making, in meeting the transportation needs of these passengers. The Overport mini-bus service is therefore providing a vital link in the chain, connecting the users place of residence to their place of employment.

The role played by the Overport mini-bus service can only be appreciated when one considers and examine the entire trip from point of origin to point of destination. As a matter of interest and to enable further discussion, information collected via the questionnaire has been assembled to compile the table below. The table reflects the overall travel pattern for each respondent interviewed. The information includes the following:

- The point of origin of the journey.
- The mode of public transport used to make the first trip.
- The average time taken to complete the first trip.
- The cost for the first trip.
- The final point of destination of the journey.
- The mode of transport used to complete this part of the journey.
- The time taken to complete the second trip.
- The cost of the second trip.
- The total time spent completing the entire journey from point of origin to point of destination.
- The total cost of the journey, i.e. the cost of the first trip + the cost of the second trip.

Table 9 : Travel Pattern of Users

No.	Origin	Mode	Time (min)	Cost (R)	Destination	Mode	Time (min)	Cost (R)	Total Time (min)	Total Cost (R)
1	Mayville	mini-bus	10-15	1-50	Overport	mini-bus	10-15	1-50	45	3-00
2	Clermont	mini-bus	10-15	2-50	Overport	mini-bus	10-15	1-50	45	4-00
3	Umlazi	mini-bus	15	3-50	Overport	mini-bus	< 10	1-50	30	5-00
4	Kwamashu	bus	40-45	3-50	Overport	mini-bus	5	1-50	50	5-00
5	Umlazi	train	60	1-50	Overport	mini-bus	5	1-50	65	3-00
6	Kwamashu	train	60	1-65	Overport	mini-bus	10	1-50	70	3-05
7	L'mntville	bus	45	1-50	Overport	mini-bus	7	1-50	52	3-00
8	Inanda	bus	45	4-00	Overport	mini-bus	15	1-50	55	5-50
9	Overport	mini-bus	10	1-50	City					
10	Overport	mini-bus	10	1-50	City					
11	Overport	mini-bus	10	1-50	Jacob	bus	30	3-00	50	4-50
12	Overport	mini-bus	10-15	1-50	Clairwood	bus	30	2-50	50	4-00
13	Overport	mini-bus	15	1-50	Chatsworth	bus	50	3-00	70	4-50
14	Overport	mini-bus	20	1-50	Chatsworth	bus	45	3-00	65	4-50
15	Overport	mini-bus	20	1-50	Point	mini-bus	10	1-50	45	3-00

92% of the respondents spend between 40-over an hour every morning to complete their entire journey from point of origin to point of destination. Only 8% of these respondents whose journey involved a modal split, spent 30 minutes in the morning to complete their entire journey. Of all the respondents only 2 completed their trip in 10 minutes. These respondent's journey involved only a single trip to reach their final destination.

The total transportation costs for the passengers varied between R3-00 and R5-50. As many as five respondents paid between R3-00 and R3-50 for a single complete trip. This meant that on average these respondents spent between R6-00 to R7-00 per day on transportation cost. Five respondents spent between R4-00 and R4-50, on the complete trip to make a single journey only. for a single day these users had to spend on average approximately R8-00 to R9-00 a day for their transport costs. And 3 respondents spent between R5-00 and R5-50 per day to make a single journey from home to work. So on average these respondents pay R10-00 to R11-00 per day for two trips. From the table, it is clear from the above analysis that the time and cost to spent on single journeys is long and costly, especially in light of the salaries earned by many of the respondents. A very large proportion of their income is therefore spent of travelling costs.

Many of the respondents live in areas which have no direct public transport running, between place of work and their home. They therefore have no choice ut to split their journeys. Prior to the introduction of mini-bus services in Overport most respondents reported that they used the public bus service, to get into and out of Overport. This either meant using the mynah bus service or the bus service provided by the privately owned indian buses. The shift to mini-bus was attributed by most, to the very expensive fares being charged by the bus services. The fare charged by buses has been higher that the mini-bus fares. This is not the general trend. Usually mini-buses charge a slightly higher fare than the conventional bus service. But in this instance the converse is true. The lower fares charged by the mini-buses has had a favourable effect on the patronage of these services. Unfortunately, no data is available to allow a comparison to be made of the fares charged by buses and mini-buses over the years. Nonetheless, the present situation does present a clear picture.

The present fare structure reflects the disparities in fares between the 2 modes , for example, the minibus fare from the Market Street rank to Overport is R1-50 for a single trip. Meanwhile the Mynah bus service, charges a R2-50 for a similar trip. From this comparison it is very obvious why the passengers who depend on public transport almost daily, would opt to use the mini-buses. For a single trip, respondents save R1-00 for a single trip, if they use the mini-buses into and out of Overport. For a day, this amounts to a saving of R2-00. If calculated for a month, then the saving amounts to a staggering R60-00. While this may not seem like a significantly large amount to the economically well-off members of society, to the users it is a huge savings.

In discussion undertaken with users, many mentioned that they were the sole breadwinners in the family. Many females added that they received little or no financial assistance from husbands or the father of their children. To these users a saving of R60-00 a month meant they could now use this money to fulfill other basic needs of the family. The fares have undoubtedly made the Overport mini-buses attractive to users.

5.3.4 Main Reasons For Using Mini-buses:

The survey showed that the main reasons for using the mini-bus service is essential attributed to factors such as convenience, speed, availability, and fare. In determining the main reason for using the mini-bus, it was found that passengers did not use the mini-bus for any particular single reason, rather in most instances it was due to a combinations of criterias.

(a) Convenient:

Convenience was stated as one of the main reason for using the mini-buses. The mini-bus service was viewed by most of the respondents as being very convenient. This is especially true when one considers the location of the ranks in relation to other modes of transport. The Overport mini-bus is very ideally located in relation to the railway station, which is across from the rank, and the numerous mini-bus and bus ranks which are in close proximity of this rank. It is therefore very convenient for the respondents to change from one mode of transport to another, due to the closeness to other stops and ranks. The burden of a modal split journey is somewhat lessened by the fact that most respondents no longer have to spend precious time walking from one mode of transport to and other. Many respondents stated that previously the journey entailed a three-way split, viz; train or bus, followed by a journey on foot, and finally using a bus to complete the final leg of the journey. Nowadays, the walking distance between the modes of transport was drastically reduced, thereby making mini-buses much more convenient for the respondents.

(b) Speed:

Secondly, speed was the next important criteria given by respondents. Travel time is especially valued by the respondents on the home to work trips in the morning. This is due to the importance that respondents place on arriving at work on time. Unlike buses, the speed of the mini-bus is comparable to those of privately owned vehicles. Since the mini-bus operates like jitneys, with no fixed schedules or fixed stops, they need only stop when users alight or board the vehicle. Mini-buses can therefore maintain an average speed that is considerably faster than the

conventional bus. Furthermore, the type of vehicle used in the operation of this service, namely, the 16-seater vehicle, allows the mini-bus to be able to manoeuvre their way in heavy traffic. This is a shortcoming that cannot be overcome by the more cumbersome buses. All of these favourable factors enable the mini-buses to transport the respondents much quicker, thereby reducing the travel time considerably.

(c) Availability:

Thirdly, the easy availability of mini-buses is another positive factor chosen by respondents favouring this mode of transport. The overall operational characteristics of the mini-bus, especially the speed, the route covered, the unfixed schedule, results in shortening the overall time taken by mini-buses to complete a single trip, thereby reducing the waiting time of respondents considerably. The overall effect is that, mini-buses are much more easily accessible and available to the respondents.

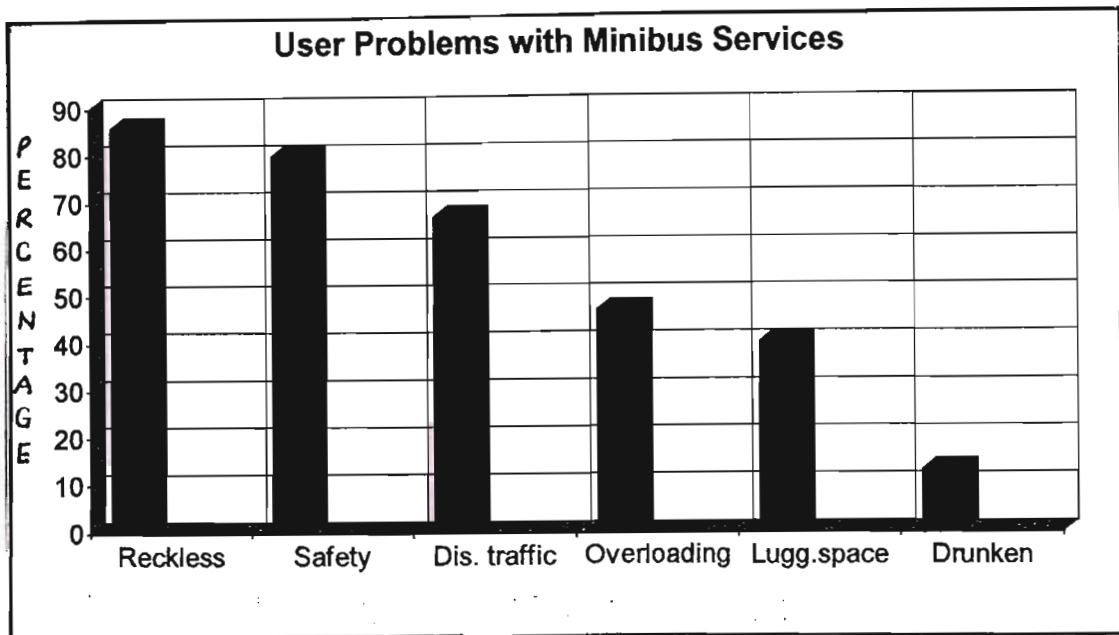
(d) Fare:

Lastly, the fare charged by mini-buses was very competitive when compared to that charged by buses, serving the Overport area. This factor has already been extensively discussed in the previous section. However, when respondents were asked if the fare was reasonable, most respondents answered negatively. The general complaint amongst most respondents was that the fare charged was too high for a service offered over such a short distance. To illustrate their point, many of the respondents made use of examples of fares for other areas. For example, from Durban central to Clermont the mini-bus fare is R2-50, over a distance of approximately 25 km. Similarly, the distance between Umlazi and Durban central is about 30 km, and the fare charged to cover this distance was R3-50. Respondents felt that the fare charged in these instances were justified because of the great distances covered in making these journeys. In comparison the 5-6 km trip length covered by the Overport mini-buses was a relatively short distance and so the fare was perceived by most as unjustifiably unreasonable.

✓ 5.3.5 Problems Experienced with Mini-bus Services:

The graph below represents some of the problems that respondents experienced with the Overport mini-bus service.

Graph 1: User problems with mini-bus services



(a) Reckless and fast driving:

The survey results indicated that of the total number of respondents, 86% experienced problems related to reckless and fast driving, with the Overport mini-bus operators. Respondents reported that operators drove extremely fast and recklessly down Sydenham Road. This they did in an attempt to beat the robot situated at the intersection of Sydenham and Cowey Roads. Many respondents made statements to the effect that "it seemed my life was going to end!"

(b) Personal safety:

Dissatisfaction with the mini-bus service was also experienced in terms of personal safety. 80% of the respondents expressed fears of being involved in accidents. Many commented that "when we get in, we don't know if we are going to get out!" Such fears have their roots in the poor driving skills displayed by the Overport operators. The fears expressed by the respondents are well founded, especially when one examines the statistics on road accidents and casualty rates of mini-buses. The involvement of mini-buses in road accidents and the casualties sustained for the entire country over the period 1984 to 1994 can be summarised as follows:

- The number of road accidents involving mini-buses over the last ten years has almost doubled from 30 000 in 1984 to 60 000 accidents in 1994.
- The number of fatalities tripled over the same period, from 330 fatalities in 1984 to 1000 in 1994.

- The number of major injuries also tripled over this period from 2000 in 1984 to 6000 in 1994.
- The number of minor injuries also tripled from 3500 in 1984 to 10 500 in 1994.

[Final Recommendation 1996, p 21]

(c) Disobeying road and traffic regulation:

A third problem experienced by almost 67% of the respondents related to operators disobeying road and traffic regulations. All of the three major problems mentioned till this point, are very closely inter-related and together they contribute to reckless and fast driving and an overall high accident rate.

(d) Overloading:

Another problem associated with the Overport minibus services was that of overloading. 47% of the passengers complained that there was a tendency by operators to overload. The Department of Transport conducted a survey in 1993, which showed that one out of every 6 mini-buses are overloaded [Ibid, p 24]. While overloading is presently a problem causing great discomfort to the respondents, many claimed that the situation has improved substantially in recent months. According to respondents, the Overport mini-buses used to grossly overload the mini-buses. It would seem that some control is being exercised in controlling the number of passengers loaded into the mini-buses. However, it must be noted that the problem of overloading still persists, as noticed from observations undertaken.

During the observation carried out at both ranks during peak periods, namely, morning and afternoon, it was found that operators compliance and adherence to the legal carrying capacity was generally not strictly adhered to. This point was also raised when analysing the operators and owners responses. During a 45 minutes observation period, it was found that 80% of the mini-buses observed at the ranks overloaded the vehicle by carrying 1 to 2 extra passengers. It must be noted that this was a phenomenon common mostly during peak periods. One of the reasons that operators do overload during peak periods, is due to the fact that on the return journey the number of passengers carried is much less, that is a full load was only carried during trips made one way. This is often referred to "dead mileage". It is therefore assumed that operators overload during peak periods to cover the cost for "dead mileage". However, this may not be the only reason for overloading. It is very possible that passengers too contribute to this problem, encouraging operators to overload, especially during peak periods when users are either in a hurry to reach work or home.

(e) Luggage space:

Another problem of significance was that related to lack of luggage space. The 40% of the respondents who complained, expressed the view that this was especially a problem in the afternoon when they were returning home, with shopping parcels. The lack of space for extra luggage was further compounded by the overloading problem. This results in the overall journey being made extremely uncomfortable for these respondents.

(f) Other problems:

Drunken driving, difficulty in boarding and alighting the vehicle and vehicle being unsafe were isolated problems perceived by only 13% of the respondents.

Respondents were also asked to comment on the playing of music in the mini-buses. It was surprising to find that the Overport mini-bus operators generally refrained from playing music in the vehicles. Some respondents did mention, that if operators played music, it did not cause any public disturbance. This was contrary to the researchers expectations. Over the years the playing of loud, thunderous and deafening music on the road has become synonymous with mini-buses. Music has become an important element in the mini-bus industry. In some instances the choice of the mini-bus taken, is very much determined by the kind of music played by the operators, as well as the sound effects of the music system installed in these mini-buses. Just how seriously music is taken in the mini-bus industry, was discovered during the field trip of mini-buses. A mini-bus in the city centre was causing a public disturbance with its loud music. It was subsequently learnt that this mini-bus was designed specifically for the purpose of entering mini-bus competitions. In order to be a winner, the mini-bus had to be in possession of the best sound system. The interior of the mini-bus in question, was converted and installed with a highly sophisticated music system, to the value of R 95 000-00. In this instance the guilty offender was subsequently fined R 250-00, for committing a public disturbance violation [Refer to Appendix 27 : Summons for public disturbance violation].

The "musical taxi" industry has given rise to a whole new culture. An article published by the Post Newspaper [14/03/1995], reported on an investigation undertaken to find out reasons as to why mini-buses push up the volume levels of their music systems. It was reported that "mini-buses are a sound business. Music plays a vital role in the transport business. It's the lifeblood of an industry that has become the scourge of our roads". Some of the mini-bus operators made the following comments regarding music in mini-buses:

- "No bass, no business!"
- "If you don't play loud music, you'll never get a full load!"
- "I'm not running a hearse!"

[Post : 14/03/1995]

The harm that can be caused by loud music was reported in the Daily News by Bernard Randolph, an environmental health specialist [Daily News : 11/02/1994]]. He conducted a survey on music in mini-buses and concluded that "noise-induced hearing loss is a very gradual process. It creeps in insidiously and by the time you realise your hearing is failing, there is nothing much you can do about it.

5.3.6 Perceived Solutions to Improve Mini-bus Services:

When respondents were asked to suggest solutions to improve the mini-bus service, most suggested that punitive measures needed to be adopted. 87% felt that enforcing strict penalties on operators guilty of speeding and reckless driving could act as a deterrent. Also many felt, that on-the-spot fines, requiring immediate payment, would be more effective. This they felt will resolve the problem of having to track the operators, a serious problem currently experienced by the City Traffic Department.

80% of the respondents expressed the need to suspend those operators guilty of delivering poor services. 73% rated strict disciplinary measures as another way to improve the mini-bus services. When respondents were asked to comment on the positive actions that could be implemented such as training courses, workshops, seminars, etc, most respondents did not think these methods would have any positive effect on the quality of the service provided. As one respondent summed it up, " you cannot teach these operators anything because they are not prepared to learn,.....they think they are the bosses on the road!"

5.3.7 Vehicle Aspect:

With respect to the vehicle aspect, respondents complimented operators and owners for maintaining the vehicle in a good condition. An insignificant number of respondents complained on the following matters:

X windows leaked during periods of rainfall, the back rest of certain seats were said to be missing, and a few of the females complained that certain clothing items were ripped and damaged by the seat corners. On the whole respondents were very satisfied with the condition of the vehicle.

During additional fieldwork, it was found that the good condition of mini-bus vehicles operating in Overport was more the exception than the rule. Forcing mini-buses to discontinue their services due to poor roadworthiness is not uncommon. For example, a mini-bus operating in Umgeni Road was found to have defective handbrakes, footbrakes, windscreen wipers, speedometer, fuel cap - leaking fuel, left and right indicators and no door handles [Refer to Appendix 28 : Notice to discontinue vehicle].

5.3.8 Operator Aspects:

Respondents were very vociferous when answering questions related to operator behaviour. The majority of respondents were totally dissatisfied with the behaviour of operators towards passengers. All respondents reported that operators were rude and inconsiderate, they were guilty of bullying the passengers, they never listened to any of the complaints. Some of the comments made by respondent, gives a better insight to the way respondents are treated by the Overport mini-bus operators:

- There is a no smoking sign in the mini-buses. One of the respondents brought this fact to the notice of the operator, who was smoking while driving. The operator reacted by shouting at the respondent "this is my car and I'll do like I please".
- Another respondent stated that the operator was driving fast. Fearing, the possibility of an accident, the respondent made a request to the operator to reduced the speed. To this the operator shouted back, "lady, if you don't like my driving, get out!" Other respondents also mentioned making a similar complaint. One respondent was told "go and catch another mini-bus", while another was verbally abused by the operator.
- In another incident an operator punished the respondent for not handing the correct fare. The respondent paid with a R20-00 note. The operator became annoyed and refused to give the respondent any change. Only when all passenger had alighted the vehicle at the last stop, did the operator give the change. Consequently, the respondent could not board off at her stop, because the operator refused to give the money.
- Many respondents also claimed that they pay the full fare for the journey, but were dropped half-way. This was especially common in the afternoon when operators were making the city-bound trips from Overport. Mini-buses did not go directly to the Market rank, instead passengers were dropped off anywhere along Centenary Road after which point passengers were expected to walk the rest of the journey.

From the above related incidences, it is very apparent that the operator-passenger relationship was an unhealthy one. The respondents were very dissatisfied and unhappy with the lack of professionalism and the undignified manner in which they were treated.

5.4 ANALYSIS OF NON-USER RESPONSES:

Ten non-users of mini-buses were interviewed in the Overport area. The aim of the interview was three fold. Firstly, to establish the present mode of transport used, secondly, to determine perceptions of respondents towards the mini-bus services and the reasons for not using this mode of transportation and thirdly, to determine whether or not the respondents would use this mode of public transport in the future.

Of the respondents interviewed, all were presently dependent on other modes of transportation. Five of the respondents used privately owned vehicles to meet their transportation needs. The remaining five respondents depended upon the services offered by the Mynah bus services offered within the study area. Of these five respondents, only one possessed a motor vehicle.

What merits attention is the fact that none of the respondents have ever used the mini-bus services in the study area. Yet, the responses reflected a high degree of negative attitude towards mini-bus services. Their negativity was not directed specifically towards the Overport mini-bus services, rather the responses were more value judgements based on their generalised perception of this mode of public transport.

All of the respondents held the opinion that mini-buses were associated with unsafe driving practices; rude, discourteous and undisciplined drivers, "who feel they can do as they wish on public roads"; a public service "resorting to violence to solve their problems".

The five respondents with access to privately owned vehicles made strong statements against the Overport mini-bus operations as well as against the mini-bus industry in general. The following grievances were expressed:

- respondents claimed that with the increase in the number of mini-buses, driving on public roads has become a "nightmare".
- some of the respondents reported that the Overport City intersection has become a death trap. This confirms the problem identified at this intersection by the researcher. To avoid this "stressful" intersection, respondents have resorted to finding alternate routes to get into and out of Overport. A favoured route out of the area was through the linking road, viz; Nelson Road, which links to Marriot Road and Sydenham Road, both of which are major local roads providing access to the city. On the return journey Waverton Road is used as a linking road system, between Essenwood and Ridge Roads. [Refer to Map 4 : Essenwood Road marked B and Waverton Road marked K].
- One respondent complained about parking shortages within the city center, claiming that almost every street is occupied by mini-buses. The public has very limited access to street parking, forcing the use of covered or sheltered parking facilities, which are very inconveniently located and charge exorbitant rates.
- Another respondent commented on the deterioration of the quality of the city center, blaming it wholly on the informal trading practices that local authorities have allowed to flourish uncontrollably. Here, the respondent was referring to both informal traders on the street as well as the mini-bus industry. "The city is in a mess! It is time the local authorities and the city police got their act together!"

These five respondents emphatically stressed that they never will use the mini-bus services.

The five respondents who used the bus service admitted that the mini-bus service was fulfilling an important travelling need. However, from their own observations, it is far too risky to use this mode of public transport. They indicated that they might use this service if the operations underwent "radical transformation", offering more professional services.

It is apparent from the responses given that the mini-bus operations in Overport has earned a very poor image. From the researcher's observations, many of these criticisms levelled against the Overport mini-bus services maybe well-founded. However it must be noted that the views of these ten respondents cannot be generalised as representing the perceptions of the Overport community as a whole. The findings serve as a pilot study to any future and more detailed research undertaking, focussing particularly on the non-users perceptions of and reasons for not using the mini-bus services. The input of non-users is extremely invaluable in any future planning and expansion of mini-bus operations.

From the responses given, there does appear to be a demand for this type of public transport among the non-users. However, at this point it is difficult to predict the extent to which mini-buses will succeed in attracting car owners. Those non-users using the bus service did provide positive feedback, provided that a higher quality and more efficient service is offered. Any plans to expand the present mini-bus service would require a more detailed investigation in the future, taking into account not only the needs of users but also those of potential users.

The findings of the survey and analysis of results in the preceding chapter has informed and addressed many of the objectives that have been outlined in the study. The information collected has assisted in understanding the eclectic spectrum that has come to be associated with the mini-bus industry. The proceeding chapter examines some of the problems associated with the mini-bus industry from the regulators, operators and users perspectives, respectively, which has emanated from these findings, as well as from observations undertaken.

CHAPTER SIX: PROBLEMS IDENTIFIED WITHIN THE MINI-BUS INDUSTRY

In this chapter problems within the mini-bus industry, with specific reference to the Overport mini-bus industry will be identified. The problems will be discussed from the owners , operators, users and regulatory perspectives, respectively. The problems related to the Overport operations will now be discussed:

6.1 PROBLEMS IDENTIFIED FROM OWNERS PERSPECTIVE:

Some of the major problems that have been identified from the mini-bus owners perspective will now be discussed. It must be noted that most of the problems related to owners emerges from certain regulatory shortcoming inherent within the mini-bus industry. These include the following:

6.1.1 Issuing of permits:

The mini-bus industry is regulated by various local authorities. In order to operate, one of the most important documents to obtain is the Public Motor Carrier Permit. This is only issued if applicants successfully satisfy the requirement of the Road Transportation Act. of 1977. The Overport mini-bus owners have levelled several complaints against the Local Road Transportation Board. Through discussion and the survey questionnaire one of the findings is that there is a lack of uniformity and objectivity when considering each application for the granting of permits. While on the one hand an applicant may be granted a permit without any difficulties, on the other hand, an application for the same route, justified on similar grounds may be rejected. There is a very high level of subjectivity involved, as one respondent commented, " it is not what you that gets you the permit, but rather who you know, that's important!"

Secondly, the Board issues permit only on condition that the applicant can justify the need for such a service. On the basis of fulfilling this single important requirement a permit is granted. There is no consultation with the other relevant authorities or the particular route committee, for which route the application is made. There is no investigation conducted by the Board to determine whether or not there is a real need for additional services, based on population size, future demand, traffic network system neither does the board consider whether or not facilities are available at ranks to accommodate additional mini-buses nor are any other objective measure taken into consideration when granting or refusing an application.

While the PRCP is the first legal document ought to be acquired by owners, it has been found that generally there is no fixed order in which documents need to be obtained.

The predicament is one of which came first "the chicken or the egg". Owners manipulate the use of one document to acquire the other. The lack of coherency between official departments, encourages infringement on routes where additional services are not needed. This leads to flooding the market, causing a shrinkage in business for the existing operators and thus conflict situations arise leading to violence and feuds.

6.1.2 Lack of record keeping:

The mini-bus operation is a business enterprise and has to be run along proper business line. It is noted that most owners do not treat the operation as a business, resulting in a lack and/or absence of any proper record keeping, in terms of income and expenditures involved in the running of such an operation. The mini-bus operation is thus run on irregular business practices. There is no realistic data available to owners or researchers on operational costs of mini-buses.

6.1.3 Poor quality control measures:

It is also noted that the selection of persons entering the industry is based on a poor and limited criteria. There is poor quality control measures adopted and practised by owners. This results in a mini-bus service that is basically delivered by operators, who are poorly qualified to provide high levels of service that is generally characteristic of this type of more personalised service.

6.1.4 Lack of business / management skills:

A rather sensitive problem that has identified is the lack of formal structuring within the mini-bus industry. This coupled with a lack of knowledge, experience and skill of proper procedures and practices related to the running of any organisation, can have a detrimental and/or negative effect, not only on the operation and service, but also on the future of this industry

Through reliable sources it has been reported that the Overport Owners Taxi Association is "weak, fragmented and dysfunctional. Through the survey and the interviews it was also found, that guidelines dictating the operation of the industry, are too vague. The lack of proper guidelines often promotes and encourages self-regulation and conflict situations arise. Sources have revealed that there exists a great deal of disharmony amongst the owners.

The Overport mini-bus industry is fraught with firstly, racial tension and internal rivalry and secondly, there is the problem of illegal operators serving the route. The lack of managerial and conflict resolution skills are clearly illustrated by the methods adopted to resolve their problems. Basically, some owners have hired the services of other route associations to get rid the illegal operators on this route. In return, these operators will be allowed to service this route. Such unconventional, impractical and

ineffective measures, fail to address the root causes of the problem. If anything, these measures further compound the existing problems. Some comments made by reliable sources regarding the present status were as follows:

- “our lives are too important. It is best not to interfere and let people do as they please!”
- “if this situation continues, it could lead to a mini-bus war!”
- “we ask the authorities for help, but they are ineffective!”

6.2. PROBLEMS IDENTIFIED FROM OPERATORS PERSPECTIVE:

The following problems have been identified from an operators perspective. Many of the problems are due to deficiencies from a regulatory, operational point of view.

6.2.1 Labour relations:

One of the major problems identified and one that emerged during the survey interview pertains to the labour relations within the mini-bus industry. The contract of services between the employer and employee is "loose", informal, agreed upon only verbally by both the parties. Although owners are engaging in labour employment practices, they however, do not abide by the protective labour legislations in their employment practices.

The "working agreement" entered into is not equally balanced and mutually favouring both parties. The owner of mini-buses is in a far more superior economic position and had the "power" to dictate the terms of agreement. The operator on the other hand places his labour at the disposal of and under the control of the owner, in return for remunerations. This is usually in the form of fixed salary, where the operator is usually underpaid. The absence of basic conditions of employment has resulted in an exploitative relationship, which is heightened by the fact that operators work within a political, social and economic environment where they are totally unprotected.

Exploitation occurs in the form :

- Operators having to work extremely long hours, averaging 12-14 per day.
- Operators do not enjoy or qualify for any normal fringe benefits eg. medical aid, unemployment benefits, accident funds, overtime, bonus etc.

The number of hours by persons is extremely crucial to the performance during work periods. The effect of the long strenuous working hours was observed at the rank on one occasion. In the morning peak period, one operator was observed sitting on a bench, looking physically exhausted. The operator later claimed to be feeling "unwell". In the meantime he requested a friend to operate the mini-bus for the morning. The friend was an unemployed person. In return the friend would be rewarded. The

operator added that it was necessary to do this, because one of the agreement between him and the owner was "NO WORK NO PAY". A cutback on the already below minimum wage received would have a disastrous effect on the running of his household. In this way it was still possible to get an income for the day.

The unfair terms of unemployment was further illustrated by one operator, by presenting the following scenario:

If an operator is injured while on duty, then there is no compensation what-so ever for this operator. He does not qualify for any medical aid or accident funds. Neither does the owner pay for any of the medical bills. The predicament is worsened if the operator due to the injury is unable to work for a few days. He does not get any financial assistance, for an injury sustained during working hours. The injury preventing him from working, also prevents him from collecting a salary, due to the "no work no pay" condition that is rigidly enforced by owners.

It is therefore clear that unfair labour practices exists within the mini-bus industry.

6.2.2 Lack of record keeping:

Mini-bus operators like the owners do not keep any proper records of the operations. There is no accurate data available on aspects related to the following:

- starting time,
- waiting time,
- time of departure form rank,
- number of trips per day,
- number of passengers per trip,
- time of arrival at destination per trip,
- time absent from rank,
- total monies per trip,
- total monies per day.

The lack of basic data pertaining to the above-related matters, has serious implication in terms of appropriate intervention.

6.2.3 Lack of facilities:

Another problem from the operators point, is that relating to the lack of facilities made available to operators at the rank. From observations, it was found that there are no facilities available at the rank for operators. The nearest toilet facilities were those present in the market. Almost all operators claimed not to use these facilities, describing them as unfit for human consumption. Furthermore, there is no water supply to the rank, no resting area or any other basic facility.

While owners maintain the mechanical aspect of the vehicle, the operator has to take care of the physical aspects of the vehicle. This means that the operator must ensure that the vehicle is washed and polished daily, the interior is clean, and the overall cleanliness of the mini-bus vehicle. In order to carry out this part of his job description, one of the initial supplies required is water. From observation of other ranks it was found that mini-buses are often washed on the streets at the ranks. Photo 14, shows the washing of mini-buses at an on-street rank. Since the Overport rank does not have any water supply, operators have to make alternate arrangements to have the vehicle washed and cleaned. It is common practice to park the vehicle on a street which has access to water supply. It is on such streets that many operators perform this duty. Photo 15, represents one such street where washing is conducted, and water supply is made available from the nearby petrol filling station.

6.2.4 Ineffective rank operations:

From observations at the rank, it was found that mini-bus operations were conducted in an environment characterised by inefficiency, extensive disorderliness, and at times in a state of chaos and confusion. Although a queuing system was adopted by the rank manager, the system lacked proper management of passengers and mini-bus vehicles. The overall effect was one of inefficient rank operations.

The Overport mini-bus service runs two routes in the morning, namely the Ridge Road route and the Musgrave Road route. To serve each route two separate queues are formed at the rank. It was noticed that passengers seemed to be confused over which queue to join. This results in passengers having to confirm queue destinations with several other passengers in the line, before finally determining the correct queue to follow. The queue order is not fixed, rather the order varies on a day-to-day basis. This is directly due to the absence of clear and visible signposts, informing passengers of the queue destinations. The problem is further compounded by inefficient management and control by the rank manager.

6.2.5 Lack of infrastructure:

From a route survey it was found that mini-bus operations was greatly hindered by the lack of adequate infrastructure along the route both for operators and users of mini-buses. Some of the issues identified were lack of stopping bays, absence of proper traffic signs such as stop signs, inadequate facilities for users, poor lighting and inadequate lane accommodation along the route for mini-buses. The lack in the provision of the above mentioned infrastructure has an adverse effect on the efficiency of the service provided.

The shortage of stopping bays along mini-bus routes to allow for the disembarking or embarking of passengers leads to traffic conflict. Due to the lack of en-route stops,

-103- [a]

PHOTO 14 :



PHOTO 15 :



mini-bus operators are forced to stop in the traffic lane. This unexpected leaving and then joining the mainstream traffic has serious negative implications for traffic flow, safety, economy and orderliness.

Another problem influencing the efficiency of mini-bus operations was the lack of proper lane accommodation. The lane accommodation along the route varied. The major corridors served, namely, Ridge and Musgrave Roads, are two way roads with two lanes in each direction. During peak periods the road system operates as a four way road system, but during off-peak periods the roads operate as single lanes in both directions, with one lane used for parking purposes and the other to accommodate the traffic. Inadequate lane accommodation therefore leads to traffic chaos on the roads.

The operational hours of mini-bus services are much longer as compared to other forms of public transport. Mini-bus services often continue till it is very dark. The poor lighting facilities along the route promotes an unsafe environment for travelling.

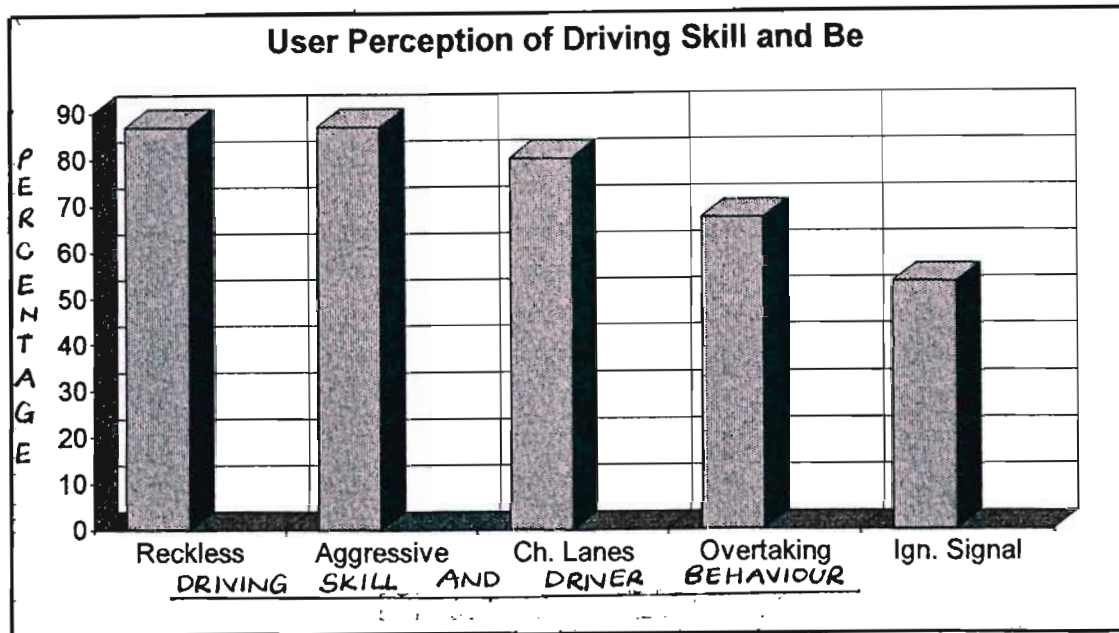
6.3. PROBLEMS IDENTIFIED FROM USER PERSPECTIVE:

With the survey data collected from the user respondent, as well as observations, it was possible to identify the following problems:

6.3.1 Driving skills and driver behaviour:

Not a single respondent indicated the slightest degree of satisfaction with the operator's driving skills. The operators driving skills and operator behaviour are two issues that are inextricably linked. While the problem related to operator behaviour has already been dealt with in detail in the previous chapter, here only the problem related to operator driving skills will be examined. Apart from asking respondents to comment on the overall service of mini-buses, they were in addition asked to comment specifically on their experiences and witnessing of various operator driving skills. The graph below reflects the responses made during the survey, to the various driving behaviours exhibited by operators on the road.

Graph 2: User perception of driving skill and behaviour



The driving skills of operators presented one of the most serious problems experienced by the respondents. It is of significance to note that respondents were very dissatisfied with this aspect of the Overport mini-bus operation and service. From the graph, one notes the very high percentage of responses to each driving skill. This implies that there exists a very serious problem with the manner in which operators drive. The graph indicates that 87% of the respondents experienced problems associated with reckless driving and speeding. Furthermore, 87% of the respondents complained of operators becoming aggressive and verbally abused other motorists on the road. Reckless driving, speeding and aggressive behaviour were therefore the most common complaints expressed and experienced by respondents.

This was closely followed by 80% complaining about the way in which operators changed lanes. most respondents reported that operators would change from one lane to another, and in doing so they would literally stop and obstruct the flow of traffic. Respondents also indicated that overtaking when not safe was common practice. 67% of the respondents witnessed operators turning in front of oncoming motor vehicles. 53% of the respondents indicated that operators were guilty of ignoring the red traffic signal.

Undoubtedly, from the above responses, one can conclude that the Overport mini-bus operators employed very dangerous methods of driving. Having witnessed respondents reactions to these questions, one can assume that if the present standards of driving is continued to be allowed unchecked, it could have serious irreversible consequences.

A roadside study to observe operator driving was undertaken over two days. The observation also involved tailing the mini-bus along the major routes serviced, namely, Ridge Road and Sydenham Road. Below are some of the findings that have emerged from these observations.

(a) Ridge Road/Overport Drive Intersection:

This intersection was perceived as very dangerous intersection. At this 4-way intersection, the 2 major local routes, namely Ridge Road and Overport Drive intersect each other diagonally. The problem arises when mini-buses need to right into Ridge Road [north bound]. This section of Overport Drive has three lanes. Two of the lanes are for motorist driving straight along Overport Drive going towards Sparks Road. A special lane is provided for motorist wanting to turn into Ridge Road. This special lane however, unlike the other 2, only extends for approximately 30 metres. It was observed that as many as 60% of the operators "cut the queue" when turning into Ridge Road. If the queue to turn into Ridge Road was too long, then operators would use the middle lane to overtake all the other vehicles waiting their turn to u join into Ridge Road. The impatience and poor standard of traffic obedience by operators leads to all kinds of confusion and annoyance.

The oncoming cars from the opposite direction who have the right of way cannot drive pass, because their paths are obstructed by the mini-bus. Some "stubborn" public motorists become angry at the operator's behaviour and would continue to drive around the mini-bus, refusing to stoop and allow the operator to make the turn. Furthermore, oncoming cars who need to turn right into Ridge Road [south], cannot do so, since the lane provided to make the turn is now occupied by the mini-buses. As a result the traffic flow is completely disrupted.

In addition the motor vehicles waiting to turn into Ridge Road [north], find that their view of the oncoming traffic is obstructed by the mini-bus. In some instances it was noticed that public motorist in this lane tried to compete with the speed of the mini-bus, with both vehicles making the turn simultaneously. Each vehicle attempting to beat the other. This situation is extremely dangerous, since entry into Ridge Road [north] at this point of the intersection has a single lane. What one faces is a situation where 2 vehicles want to squeeze into one lane, each attempting to out-manoeuvre the other. It was observed that in most instances the mini-bus won the "chased".

Other motorists were perceived to be more timid. Many reacted by throwing their hands in the air, some nodded their heads, some motorists turned and looked at other motorist, as if seeking consolation or sympathy. The slightly more gutsy motorist hooted.

(b) Ignoring Red Traffic Signals:

Also at the above-mentioned intersection many mini-buses tried to beat the traffic signal, making the turn a few seconds after the robot changed from amber to red. By the time the mini-bus successfully completes the turn, traffic from the opposite direction have started to move. This can result in a serious accident.

(c) Speeding:

While tailing mini-buses it was found that speeding was prevalent along certain sections of the route, especially on roads that were straight. On the city-bound route, particularly on Overport Drive, which links up with Sydenham Road, was a favourite racing track with mini-bus operators.

(d) Changing Lanes:

In the morning a combination of the following were observed, namely, the reckless changing of lanes, speeding and reckless driving was noticed. In the morning mini-bus load is 100% when going to Overport. However, on the return journey the mini-bus is not filled to maximum capacity. As a result mini-bus operators are in a hurry to get to the Market Street rank, to fetch the next full load going to Overport. Since mini-buses operate like jitneys, it is important that they maintain the characteristics of speed and availability. One therefore finds mini-buses constantly speeding down Sydenham Road, repeatedly changing their lanes, switching over to the where traffic seems to be moving faster.

6.3.2 Lack of Facilities:

Another major problem identified from the users perspective is the lack of availability of facilities at both the Market Street Rank and the Overport rank. At both ranks observation of facilities were undertaken. It was noted that at both the ranks, the only facility provided was a solitude bin. Photo 16 and 17 shows the Market Street rank. One notices passengers waiting for a mini-bus at this rank. One of the most glaring problems depicted in this photo, is that total lack of protection against weather. No shelters are available for the users, to protect them from severe hot weather or rainy conditions. During rainy weather conditions, respondents complained of becoming totally drenched. This was also a point mentioned by most of the operators.

Photo 18 and 19, shows that the problem of shelter is also experienced at the Overport rank. The only consolation here is that the trees close-by provide some shade to the passengers. However, the trees are at a slight distance away from the officially marked ranks. Passengers inevitably end up queuing on the pavement, rather than wait under the tree. Here too, on a rainy day passengers are fully exposed to the unfavourable weather conditions.

Secondly there are no seating facilities available to passengers. During peak periods passengers often have to wait a long while before boarding a mini-bus. Those passengers making the trip in the morning into Overport, all make journeys involving a modal split. Not all of the passengers making the first trip do so seated. Many respondents indicated that if the journey is made by train or bus then it is very difficult to get a seat. Passengers stand for most part of trip. To further add to their discomfort, passengers have to wait at the mini-bus rank, sometimes as long as 10 minutes. Furthermore, upon investigation it was found that many passengers at the Market rank are patients going to visit the McCord Hospital in Overport. Many passengers are carrying babies plus luggage. All of these passengers are experiencing great discomfort due to the lack of seating facilities. The availability of seats would be very welcomed by them. A similar problem is experienced at the Overport rank. After spending an entire day at the hospital, or working at jobs that are labour intensive, passengers have to then stand at the rank for almost 15 minutes before boarding the mini-bus.

Photo 16:

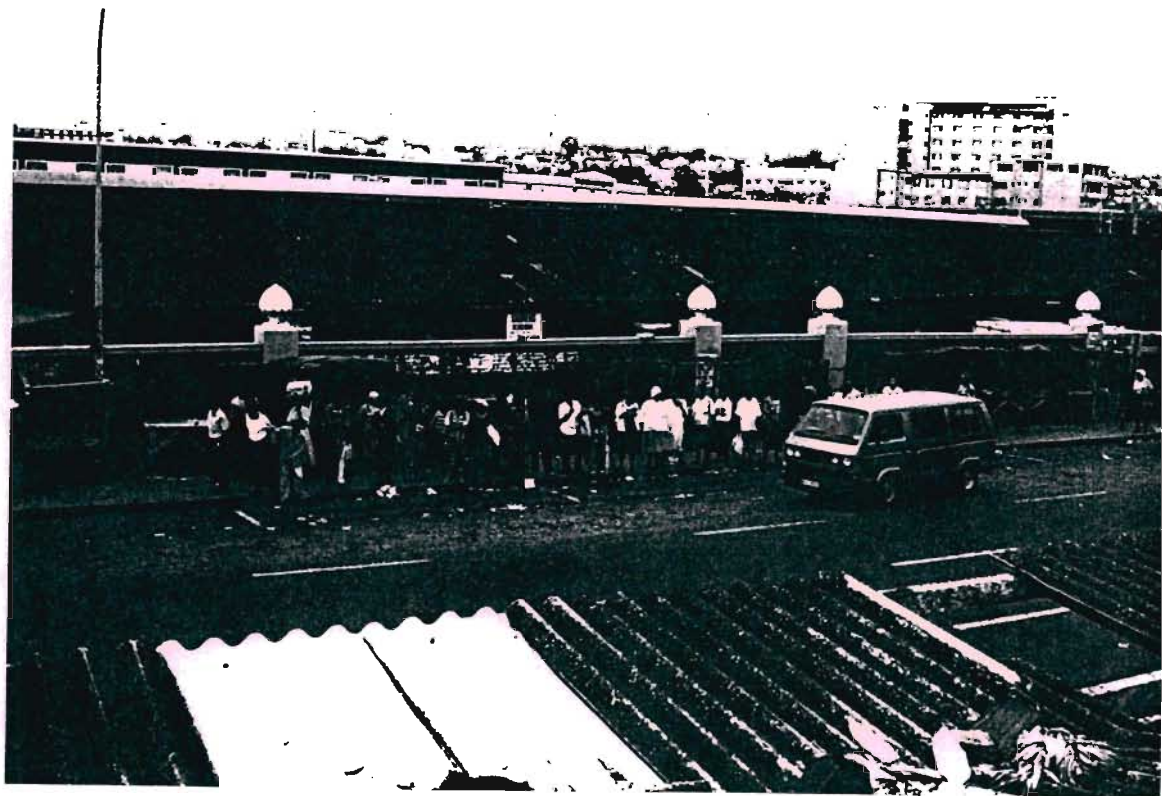


Photo 17:



Photo 18:

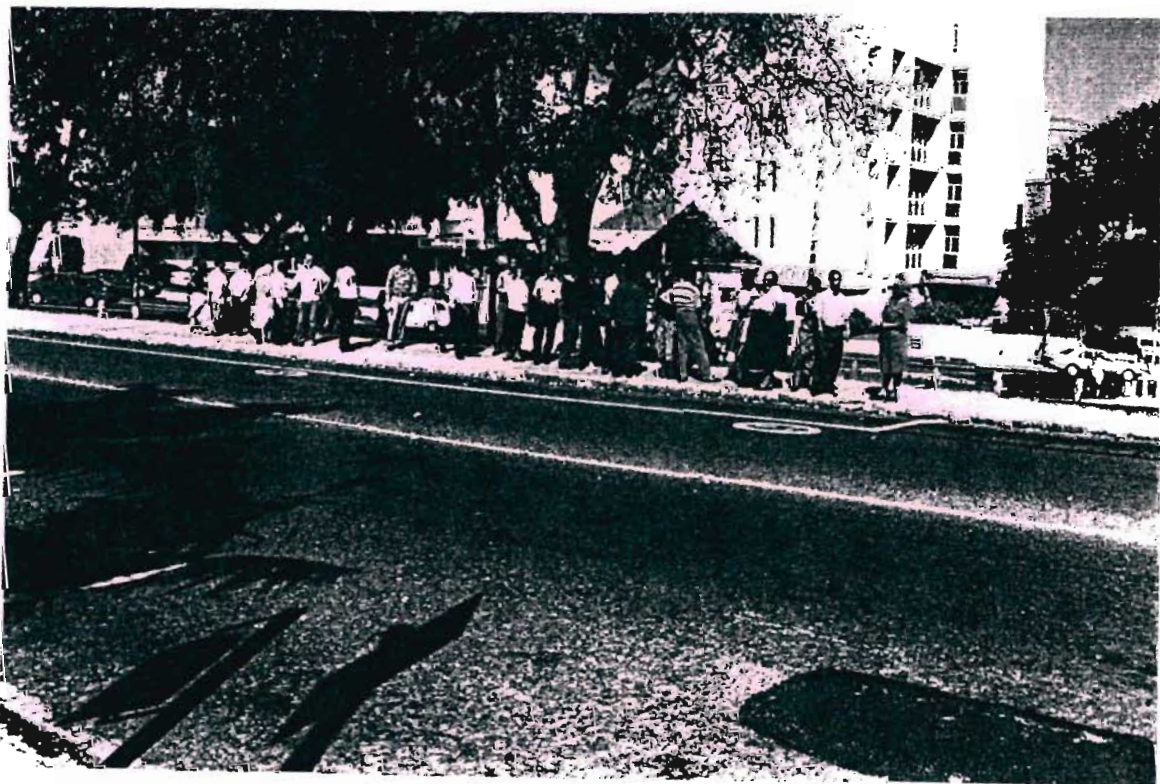


Photo 19:



Photo 20:



Thirdly, a problem of lack space was noticed, only at the Market rank. Photo 20, gives some indication of the traffic on the pavement. The pavement is approximately 2 metres wide. From the photo, some the main users of the pavement can be identified, these include, the pedestrians, the mini-bus users, the informal traders & mini-bus owners patrolling the rank. The size of the pavement cannot adequately accommodate the traffic.

Refer to photo 21, which also shows the problem of lack of space. On the day this photo was taken, it was "market day", for the informal traders. That is it was the day to go to buy their produce and supplies. Their business therefore started later than usual on this particular day. On previous occasion, the tables along the pavements are set up as early as 6:45 am. Overall, the activities on this section of the pavement can be described as "vibrant chaos", characterised by unusual smells and sounds, pedestrian movement, traffic flow and noise of hooters, passenger and passenger chatting, the occasional pedestrian stops to chat to someone waiting in the queue, the rank manager every now and again shouting the routes of the respective mini-buses, "Ridge now!", "Ridge now!" or "Musgrave going!", "Musgrave going!". Ever so often the rank manger takes a break to chat to the pretty girls passing by. Meanwhile, the newly arrived passengers at the back of the queue are confused over which line to join. Someone in the line recognises a familiar face across the road, shouting, "Unjane!" and attempts to hold a conversation amidst the bumper to bumper road traffic, the orchestra of sounds emerging from the pavement, & a spacial barrier of some 20 metres.

Photo 21:



While the above problem of inadequate space was more descriptive, it was felt necessary, in order to fully appreciate the problems in terms of spatial inadequacy. The above illustrates the vibrancy and the multitude of activities that transpires within this very confined spatial area.

The lack of space prevents the mini-bus operations from functioning more systematically. Added to this, is the lack of management skills possessed by the rank manager. Together, both the lack of space and the mismanagement, creates a lot of disorder. The situation is worsened when the traffic flow on the pavement increases.

6.3.3 Problem of mini-bus identification:

Another user problem relates to the identification of mini-bus vehicles on the road. A number of vehicles similar to those used as mini-buses appear on the public roads. At times it does become difficult for passengers to recognise the mini-bus. This difficulty was reported by both passengers and operators. From the operators point the problem arises when passengers innocently board a mini-bus which is illegally operating on this route. Consequently, poaching of passengers occurs which shrinks the passenger market of the legal operators. For passengers the problem of identifying mini-buses has more serious consequences. They may unwittingly place their lives in danger, since there is no basis upon which to recognise and identify legal mini-buses. Legal mini-buses display the necessary discs, however, the type of services offered and the operational characteristics associated with mini-buses, does not permit or afford passengers the time to determine the legal status of vehicles before boarding.

6.4 PROBLEMS IDENTIFIED FROM REGULATOR PERSPECTIVE:

6.4.1 Lack of proper administration:

One of the major problems identified from the regulators perspective is the serious lack of ordered administration to effectively control and regulate the mini-bus industry. Regulators cannot function effectively and meaningfully. It was observed that the various regulators responsible for controlling the mini-bus industry, namely, the LRTB, which was responsible for granting or refusing permits; the Local Municipality, who have the dual responsibility of planning and providing the mini-bus facilities and the promulgation of traffic-by-laws regulating the mini-bus operation; and the local Traffic Department, which is responsible for enforcing the laws relating to service standards, all function in isolation and independently of each other. This lack of co-ordination and co-operation between the relevant local authorities results in an ineffective, fragmented and disjointed regulatory system where regulators dismally fail to regulate and control the mini-bus industry.

6.4.2 Lack of manpower resources:

Another problem identified from the regulators perspective pertains specifically to the City Police Department. This department has a separate unit known as the Public Transport Section. This unit is responsible for law enforcement and the regulating and controlling of all public transport systems. Presently, the department consists of one sergeant and six constables. This department of seven is required to attend to all the documentation necessary and required by law for public modes of transport. In addition they are also required to patrol and enforce law on the roads. The job of enforcing the law is so broad and varied that no amount of dedication and time can possibly allow these regulators to effectively perform their tasks. The ratio of the number of police officers to the number of mini-buses on the road is grossly disproportionate. This insufficient number of police officers in charge of regulating and controlling the mini-buses results in ineffective regulation and control, thereby encouraging self-regulatory practices amongst mini-bus operators.

CHAPTER SEVEN: RECOMMENDATIONS

The aim of this chapter is to provide recommendations that would assist in eliminating, overcoming and/or alleviating the identified problems associated with the Overport mini-bus, from the owners, operators and users perspective.

7.1 RECOMMENDATIONS REGARDING OWNER PROBLEMS:

7.1.1 Issuing of permits:

The present system of regulation and control of mini-bus operation by the board is ineffective. It lacks ordered administration, mechanisms and structures, to facilitate the proper issuing of permits. The members and staff of the Board should become more objective when granting permits and should not allow personal prejudices to act as obstacles. Furthermore, to ensure that all applications are treated fairly, the board needs to develop standardised procedures and methodologies to grant permits. The authorities must perform their duties fairly and transparently.

Secondly, a more prescriptive method should be adopted when permits are issued. The basis for granting a permit is restrictive and fails to consider other important issues related to the provision of a mini-bus service. Factors such as the volume of passengers, both present and future; the growth of the population of the area, both present and future rates; the socio-economic character prevailing within the area; the availability of rank facilities; impact on urban network system; are but some of the factors that must be considered when whether a permit should be granted or refused. Proper feasibility studies, consultation with the relevant departments and interest groups and long-term planning needs to be undertaken, to create an effective, realistic and systematic approach to regulating the mini-bus industry, which will contribute to more efficient services.

7.1.2 Proper record keeping:

There is a need for owners to maintain proper records of operating costs. Many of the owners have a low level of education and lack basic business skills. It is therefore recommended that the relevant authorities get various business institutions to educate, train and develop more appropriate and meaningful management and business skills. This programme should be made available to both owners and operators. The acquisition of such business and management skills will enable and facilitate better recording and logging of mini-bus operations.

Records should be kept of all transactions, such as all expenses, and total income, by the owners. Operators need to log all trip details, such as total number of trips, number

of passengers per trip, time of arrival and time of departure, total time taken to complete each trip, the cash collected per trip, total taking for the day. In time the development of such a data base will serve as an important input system. This will be beneficial to owners, in that it will allow owners to plan certain long-term and short-term strategies to ensure a viable and profitable mini-bus operation. Also, it will enable owners to exercise some control over the pilfering problem experienced.

7.1.3 Proper quality control measures:

The operator has a very important role and function to play within the mini-bus industry. The provision of a mini-bus service requires the operator to possess more than just a valid legal driver's licence. The job description must be more broader than that. In the short-term some of the following interventions and measures can be introduced:

- Ensure the driver's licence is valid and legitimate.
- Investigate the operator for any criminal convictions.
- A thorough medical check up must be undertaken.
- Testing and Monitoring the driving skills.
- Provide the operator with more formal and clearly defined guidelines on acceptable driving behaviour, stressing the need to comply with rules and regulations.
- conduct interviews to determine the operators level of education, communication skills, mechanical knowledge of vehicle, temperament.

7.1.4 Development of business and management skills:

For the mini-bus industry to develop and grow in the future, it is imperative that the primary building blocks are strong and the structures provide a solid foundation upon which to build. Any weakness can result in fragmentation and ultimate collapsing of all structures. The Overport mini-bus route committee, officially known as the Overport Taxi Owners Association, is starting to show some cracks. One of the reasons can be attributed to the incapacity of the Association to perform its duties and functions.

Members of the Association need to firstly make a genuine commitment to the Association and to all of its members. Only once this is achieved can proper methods of intervention be identified and implemented. Intervention is required in the form of a structured mission policy, outlining the broad measures of governance of the association. For example, setting out the aims and objectives of the associations, electing persons to hold official positions and forming an executive committee, specifying requirements of members, proper financial management, proper conflict resolution methods and procedures, proper codes of conduct for both owners and operators, outlining proper disciplinary measures/procedures to be followed in the event of misconduct.

Clarity and direction can guide the mini-bus operation to contributing more effectively to the transport system.

7.2. RECOMMENDATIONS REGARDING OPERATOR PROBLEMS:

7.2.1 Improved labour relations:

It is important that mini-bus owners and operators conduct their labour practices within a more structured framework. First and foremost, owners need to recognise that operators are employees, and as a consequence of such classification the following Acts apply to them. These include the Labour Relations Act; the Basic Conditions of Employment Act; the Wage Act; the Compensation for Occupational Injuries and Diseases Act; and the Unemployment Insurance Fund Act. Furthermore, owners need to abide by the various legislations.

Formal registration of employees, creates a more secure and stable work environment. It instils a feeling of permanency amongst workers, thereby positively contributing to better performance during working hours. The overall effect will be a better, more efficient mini-bus service.

In the short term, intervention can take place, by establishing representative committees. Operators can form their own association, whereby grievances can be represented to the owners. It is imperative that negotiations occur in an environment characterised by orderliness, and commitment to resolving dissatisfactions. Owners need to acknowledge and recognise the fact that operators are employees with certain basic needs, and a platform needs to be erected where these needs can be aired. Ignoring or replacing operators does not rid one of the problems. Such an attitude could result in drastic measures been taken by operators such as blockades, striking, disrupting the mini-bus operation, leading to an economic decline for both operators and owners. With the ultimate price being paid by the users of mini-buses.

7.2.2 Proper record keeping:

It is recommended that each operator keep a log of all aspects relating to the operation of the mini-bus. Some of the details to be recorded have already been mentioned earlier in the chapter. Detailed recording of every trip must be completed by the operator and where and if necessary assisted by the conductor. Recordings must be done on a daily basis. This information must be submitted to the association. Of significance to the mini-bus operator will be the information pertaining to the peak and off-peak periods. Once a data base has been built, it will assist the association in designing a schedule roster for the mini-bus operators. With this information it would be possible to identify with a higher degree of accuracy, the peak and off-peak periods, that is the days and the times when mini-services are more in demand and the days and times when mini-buses are less in demand. The subsequent schedule roster based on the information supplied by operators can then be used to work out relief days for all operators, based on a rotation system. The relief can be planned on a weekly basis were each operator gets

one day off in the week. Also it can include relieving operators for longer periods allowing them to receive annual leave as well. This would alleviate some of the dissatisfaction expressed by operators regarding work conditions.

7.2.3 Efficient rank operation:

The inefficient rank operations not only has a negative impact on the operator, but also on the overall services offered by mini-buses. It is recommended that rank operation be developed along more structured, formal and fixed procedures and practices. All key players should be made fully aware of the manner in which the rank has to operate. Also the duties and expectations of each key player should be clearly communicated.

To promote efficient operations at the rank, the association could make a request to the City Engineers Department to clearly demarcate areas on the pavement for queueing purposes. The reserved area can be equally sub-divided to accommodate the two routes served. Alternatively, simple tools which are flexible, effective and safe can be used as barriers, such as ropes and chains. To alleviate the confusion experienced by passengers with regard to route destination, it is suggested that sign posts be erected at the front of queues. The signpost should boldly display the route destination to all passengers waiting in the queues. This would introduce a degree of orderliness and certainty when passengers join a queue. The flexibility of the tools will enable the rank manager to place them strategically during peak periods, and remove them thereafter. Such simple and practical measures expedite efficient operations at the rank.

7.2.4 Adequate infrastructure:

The planning and provision of adequate stopping bays and clear visible stop signs along the routes will effectively contribute to reducing traffic conflicts and disruption to traffic flow, caused by indiscriminate loading and off-loading of passengers anywhere along the road network. It is further recommended that local authorities in conjunction with transportation planners and in consultation with the mini-bus operators, identify optimum sites where stopping facilities can be provided. The route serviced by the mini-bus operation must be studied in detail. It should include a road traffic analysis of the routes. Potential areas of opportunity for stopping bays need to be identified along these routes. Stopping bays should in addition be equipped with all the basic essential road accessories such as seating facilities, bins, stop signs etc. It is vitally important to locate the sign posts at visible points not only to benefit the users, but to the general public. The signs serve as further warning signals to motorists of possible stopping and taking-off by mini-buses.

It is equally important to ensure that the road network system and carriage way can adequately accommodate the flow of traffic, especially during peak periods. Poorly planned network systems significantly contribute towards an inefficient public service. It is recommended that wherever possible the roadways be upgraded and widened. This

will not only improve the flow of road traffic but also reduce operating costs and finally contribute towards an efficient public transport service.

7.3. RECOMMENDATIONS REGARDING USER PROBLEMS:

7.3.1 Improvement of driving skills and driver behaviour:

The responses of passengers together with field observation, leads on to conclude that the standard of driving amongst the Overport mini-bus operators leaves much room for improvement. Any intervention would have to aim at improving the standard and quality of operators driving skills. Such interventions would enable the mini-bus operation to efficiently contribute to public transportation.

Some of the short-term measures which can be implemented at grass root level are:

- Firstly, the Overport Taxi Owners Association should take the initiative to improve the standard of driving amongst the operators. The starting point would be collecting information on each operator servicing the Overport. The data should include such information as operator's driving licence number, I.D. number, but more importantly, data needs to be compiled on each operators driving history. That is, years of driving experience; number of accidents; nature of each accident; record of traffic violations. Over a period of time it would become easier to isolate and identify those operators who are repeatedly guilty of disobeying traffic regulation and rules. Such monitoring and the ability of the association to communicate dissatisfaction in a skilful manner, so that it is positively perceived by the operator, could attain the goal of reducing traffic violations committed by operators. Furthermore, on the basis of such information associations could introduce the use of positive reinforcement to encourage operators maintain a high standard of driving. For example, the operator with the least number of traffic violations for the month could qualify for an extra day off. Other methods of positive reinforcement could include, operator competitions where winners are determined by users of the service.
- Secondly, the association should establish a passenger care line, by erecting a suggestion box at both the Market and the Overport ranks. This box should be controlled and monitored by the rank manager. He has to ensure that the box is not tampered with. The association should then categorise the complaints and depending on the nature of the complaint, a suitably acceptable plan of action should be followed.
- Thirdly, the association in conjunction with the traffic department and the Road Safety Council could informally educate drivers through the medium of films, slide shows, workshops, seminars, distribution of pamphlets, practical driving demonstrations, hold simulation classes where appropriate behavioural responses under adverse situations are enacted. Such methods can help to make operators

better understand the significant role they play within the mini-bus industry, and that the image and future of this industry depends very much on the quality of service provided by them.

- Fourthly, the traffic department should employ more traffic officials along routes, especially during peak periods. While this sort of policing may not be welcomed by operators, the very presence of traffic officials could act as a deterrent, forcing operators to drive more carefully. Furthermore, the problems experienced at the major intersections could be effectively controlled thereby in time alleviating the problems encountered.
- Fifthly, association should have a code of conduct where the punishment befits the crime. Also, rules need to be strictly abided and adhered to not only by the operators, but all key role players, such as, owners, rank manager, users and traffic officials. Strict and rigid enforcement should result in positive outcomes.

7.3.2 Provision of Facilities:

A general lack of inadequacy in the provision of facilities have been recognised both from the users and operators point of need. Since both the operator and the users have expressed the need for similar facilities to be required at the same points, the needs of both are discussed as one.

The provision of any facilities, both for the users as well as the operators, cannot be provided on an ad hoc basis. Such disorderly and unsystematic approach would fail to meet the real needs of the key players. Before attempts to provide any facility is undertaken, it is of vital importance to study the deficiencies at grass root level. This does not only include an analysis of the physical environment, but more importantly it should consider the human element as well.

An analysis of the physical environment is fundamental to the provision of any facility. Through rigorous analysis, it would be possible to identify the physical opportunities presented within the area. However, not always does the physical environment present favourable factors. Even if the physical environment is unfavourable and presents constraints, it is necessary under both conditions to work within the parameters presented by the area. The ultimate aim should be, to meet the needs as best possible, of those users for whom the facility is provided, i.e. users and operators.

However, the provision of facilities at ranks should not merely be a mechanical exercise, based only on physical environment, using projection figures on present & future demands, and other objective criterias. Rather the provision and designing of any facility must incorporate both the physical and social dimensions. The provision of the physical structures should not be so rigid so as to disrupt and destroy the social elements present at ranks.

Addressing the problem of lack of space, it is recommended that the allocated rank area be effectively used the maximum, to promote and contribute to the provision of efficient services by the mini-bus operations. The City Council, Overport Taxi Owners Association and the informal traders at the rank need to consult and agree on certain conditions, which would be beneficial to all parties concerned. One possible solution to overcome the lack of space, would be to restrict the informal business trading hours. This would mean prohibiting informal trading during certain times of the day, particularly in the morning peak period. This would automatically result in the availability of more space, but not necessarily adequate space for ranking purposes. It is proposed that this space be put to effective use.

From observations, it was noticed that the rank was not effectively managed. Many respondents complained about the rank manager. These referred to his behaviour, lack of skill. Intervention would involve introducing a method of operation at the ranks, facilitating easy queuing loading of passengers. The rank manager needs to operate in a more orderly fashion, logging details about each mini-bus & ensuring passengers are boarding the correct mini-buses.

7.3.3 Colour coding of mini-buses:

It is imperative that mini-buses are able to maintain their own identity in relation to the conventional modes of public transport. This includes not only the operational and service characteristics but also in terms of its physical characteristics. It was noted that each mini-bus was personalised and unique, lacking physical uniformity in terms of colour and graphic illustrations displayed on the body of the vehicle. In the process of formalising mini-bus operations, it would be advantageous to introduce colour coding schemes and a numbering system for each route. Colour coding the mini-bus vehicles has significant implications for passengers, operators and other public motorists.

All mini-buses serving a particular route should be painted in the same colour scheme, possibly displaying a logo or graphic design and number on the body of the vehicle. In this way, min-bus vehicles display a degree of uniformity within the service route, but are still nevertheless unique and personalised, differentiating them from mini-buses serving other routes. For passengers, the question of safety can be effectively addressed. It would be easier to firstly identify the vehicle and secondly, to recognise it as legal and legitimate mini-bus. Ensuring the safety of passengers should be of paramount importance in the provision of a public transport system. Such interventions will greatly assist in achieving this aim.

Furthermore, illegal operators serving a particular route can be easily identified. The colour-code and the number would assist in determining not only the route to which the vehicle belongs but also the guilty operator. This level of intervention thereby effectively controls and reduces the problem of poaching. This would also benefit the general public motorists on the roads. Public motorists are better prepared in advance

to expect any sudden and abrupt stoppages and disruptions to the traffic flow. It would encourage public motorists to follow safe distances when driving behind mini-buses.

7.4. RECOMMENDATIONS REGARDING REGULATOR PROBLEMS:

7.4.1 Co-ordination and proper administration:

It is recommended that the relevant local authorities investigate ways of effecting better communications linkages, better management, co-ordination, and fine tuning amongst the tripartite authorities responsible for regulating and controlling the mini-bus operations. A policy encouraging the authorities to work as a unified team should be advocated. Such interventions would undoubtedly enable the authorities to function more effectively and orderly. It would further afford regulators a stronger measure of control and regulating powers over mini-bus operations. In addition, proper law enforcement and firm control which is presently poorly exercised, would be possible.

7.4.2 Adequate supply of manpower resources:

Increase It is recommended that the acute shortage of manpower for controlling, regulating and enforcing the law, is a matter that needs to be seriously addressed. The control and regulation of mini-bus operation is a labour-intensive operation. Furthermore, the situations confronting the police officers are unusually dangerous. This not only requires ordinary policing skills, but also specialised conflict resolution skills as well. Therefore, if this unit to make the public roads safer for all, the imbalances between number of police officer regulating the industry must be in equilibrium with the number of mini-buses on the roads. The need for additional manpower for law enforcement cannot be over-emphasised. The unit must be commended on a task that is often life threatening.

This chapter has outlined broad policy guidelines and has made recommendations to alleviate and eliminate the problems associated with the mini-bus industry from the owners, operators, users and regulators perspectives. The formulation of any policy guidelines and recommendations for implementations in the mini-bus industry must involve and consider the grievances and the needs and requirements of all the key role-players associated with this industry. This includes parties directly and indirectly affected by the operations of mini-buses. Furthermore, policy proposals and recommendations must be clear, unambiguous, aimed at both short-term and long-term strategies to overcome problems, must be minimally ambitious and finally realistic. Policies and recommendations should promote continuous decision- making and planning processes. It should foster the identification of appropriate planning interventions to achieve the outlined objectives. The broad policy recommendations put forward in this chapter has attempted to address some of the significant problems identified with the Overport mini-bus operations. It all may not result in success, but implementation would be a positive step towards an attempt to act effectively, in solving some of the problems associated with the mini-bus industry.

CHAPTER 8: CONCLUSION

This research has endeavoured to examine the mini-bus operations as a mode of public transport in the Durban metropolitan area, specifically focussing on the mini-bus operation in Overport. The aim of the study was to identify appropriate planning interventions to enable the mini-bus industry to make a more efficient contribution to the public transport. The aim was achieved by examining the mini-bus operations in relation to three key service perspectives, viz; service operators, service regulators and service users.

In terms of the objectives set out in the introduction, in particular the specific objectives outlined in relation to the service operators, service regulators and service users, has been achieved by the researcher. The specific objectives achieved are as follows:

8.1 OPERATOR RELATED OBJECTIVES:

- (a) The theoretical context for the emergence and development of the mini-bus industry was provided by examining mini-bus operations from an international and South African perspective
- (b) The operational characteristics of mini-bus services have been investigated, examined and discussed.
- (c) Problems experienced by owners and operators providing mini-bus services in the Overport area have been investigated and identified through the administration of questionnaires. Problems were also investigated and identified by conducting informal unstructured interviews with owners and operators.
- (d) Appropriate planning interventions have been formulated and suggested to meet the needs of owners and operators of mini-buses.

8.2 REGULATORY OBJECTIVES:

- (e) The legislations which have been/re responsible for controlling, regulating and legalising the operation of mini-buses in South Africa have been reviewed by examining various source documents, journals and published articles.
- (f) The current practices regulating, controlling and legalising mini-bus operations in the Durban metropolitan area, with specific reference to the case study area of Overport, was examined and discussed. This objective was achieved by consulting various key role-players associated with regulating the mini-bus operations.
- (g) The role and function of organisations and associations within the mini-bus

industry was investigated and examined. To achieve this objective published documents were reviewed and interviews were conducted to collect information.

- (h) The problems of regulating and controlling mini-bus services have been identified from the data collected and the appropriate planning interventions and measures to overcome the problems was formulated and suggested.

8.3

USER OBJECTIVES:

- (i) The reasons for using the mini-bus services were identified through the survey and discussions conducted with users.
- (j) The problems experienced by the mini-bus users were investigated and determined from data collected through the survey questionnaires, as well as from subsequent discussions.
- (k) Appropriate planning interventions to meet the needs and demands of mini-bus users was formulated and was put forward.

8.4

OVERALL OBJECTIVES:

- (l) Broad policy guidelines and recommendations to enable the mini-bus services to efficiently contribute towards the public transportation system have been formulated and suggested.
- (m) The reasons as to why mini-buses are not used by non-users within the study area was investigated and determined by conducting interviews with the non-users.

8.5

CONCLUSION

The research has revealed that the mini-bus industry which evolved out of gaps in the public transport system, has travelled a long road to become one of the leading carriers of commuters in the overall public transport system. The mini-bus services, in particular the Overport mini-bus services were found to fulfill a very essential and basic need of commuters. Factors such as speed, efficiency, more frequent service, and with fares cheaper than buses, have made this mode of public transport the preferred mode favoured by commuters. The contribution of this industry towards fulfilling the social needs of commuters is unquestionable.

Undoubtedly, the services offered by the mini-bus industry has also had a tremendous positive impact on the economy of the country. Having emerged at the height of the apartheid era, mini-bus operations offered one of the few legitimate avenues fostering black entrepreneurship, despite the repressive policies which characterised the early history of the mini-bus industry. However, in the latter years the almost complete deregulation and removal of restrictive policies has subsequently resulted in the unplanned, unexpected and uncontrolled growth of the mini-bus industry.

The mini-bus industry once hailed as a miracle solution to the lumbering public transport system, has in the course of its rapid growth, come under an unending stream of criticism. The effects of an industry that is running out of control has been revealed in the research by the high degree of dissatisfaction reported by all the key role-players associated with this industry. The research has found that there is a clear plea and an overwhelming need for appropriate planning interventions within the mini-bus industry.

Overall, the virtual lawlessness that has come to be associated with the mini-bus industry, the lack of effective and proper administration, the absence of formal structures, the escalating violence sparked on by mini-bus wars, the poor road safety, and the lack of infrastructure, forces one to be confronted with a bleak and hopeless picture. It must be noted that the problems prevalent within the mini-bus industry in South Africa, are however not unique. The Natal Mercury [Tuesday, 19/11/1996], reported similar problems faced by the government in Cairo. The "microbusat" are reported to be "driven by bullies, with a maddening fondness for speed, they swerve in and out of teeming traffic, dodging cars, and occasionally, a hapless pedestrian". In response to mounting popular anger the government has been forced to "impose discipline on the streets". In addition, the Interior Minister, Hassan-el-Alfy, declared that no more permits would be issued for mini-buses in Cairo [Refer to Appendix 29: Natal Mercury 19/11/1996].

It must be added that if the present situation regarding mini-bus operation continues unchecked, there will be profound implications, especially for the thousands of commuters who rely on this mode of public transport. The study concludes that control, regulation and positive affirmative actions in the form of appropriate planning interventions will enable the mini-bus industry to efficiently contribute towards the public transport system.

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APPENDIX 1
SUMMARY OF USER QUESTIONNAIRE

User Questionnaire

- Objective 2 :
- a) To identify the problems experienced by minibuss users.
 - b) To determine solutions to overcome problems, thereby satisfying users' needs/demands.

Demographic Information

- Name and address
- Age, sex, race
- Length of residence in area
- Size of household

Socio-Economic Characteristics

- Level of education
- Occupation and working status
- Monthly average income
- Possession and ownership of vehicle
- Average transport cost

Availability of Facilities

- Facilities presently provided at ranks
- Condition of existing facilities
- Level of satisfaction
- Is there need for additional facilities
- Future facilities needed at ranks and stops
- Other dissatisfaction with facilities

Nature of Journey

- Mode of transport frequently used
- Purpose of journey
- Frequency of trip
- Final destination
- Use of modal -split -if so, state mode
- Length of time service is used
- Previous public mode used
- Reason for change
- Time taken for each trip
- Cost of fare - reasonable
- Reasons for using minibuses
- Problems associated with minibus service
- What improvements needed

Other Problems

- Problems users experience other than those mentioned
- What can be done to solve such problems and improve minibus service

Condition of Vehicle

- Condition of exterior
- Condition of interior
- Working condition of vehicle
- General level of cleanliness
- Problems with identification of minibuses
- Suggestions to improve condition of vehicle
- Suggestions to make minibuses more easily identifiable

Level of Service

- General level of satisfaction with driving
- Problems associated with driving skills
- Solutions to overcome these problems
- Relationship between user and operators
- Complaints against drivers
- How driver can contribute to improving service
- Other problems related to minibus service

APPENDIX 2
SUMMARY OF OWNER QUESTIONNAIRE

Summary Owner Questionnaire

Objective 1 : To identify the problems and needs of minibus owners.

Demographic Data

- Name and address
- Age, sex, race
- Level of education
- Occupation

Vehicle Aspect

- Year and model
- Maximum carrying capacity
- Maximum number operator is instructed to carry
- Roadworthiness of vehicle
- Accidents : -number of vehicles involved
 - total number of accidents
 - nature of accidents
 - cost of repair
 - action taken against operator

Status of Vehicle

- Legal status : -possession of necessary documents
 - problems associated with obtaining legal documents
 - solution to overcome problems
- Ownership of vehicle :
 - number of vehicles
 - owned or leased
 - payment of vehicle (cash, loan, other)
 - price of vehicle
 - monthly payment
 - is vehicle insured
 - owner = operator or operator hired

Operating Costs

- Petrol costs
- Maintenance/service costs per month
- Wages/salaries
- Insurance
- Other costs incurred
- Total income and expenditure
- Approximate income
- Affordability to replace vehicle
- Need for subsidy
- Record of business transactions

Employee Aspect

- Registration of operator
- Employment agreement (formal, loose contract)
- Criteria used to employ operator
- Labour relation between owner and operator

Infrastructure

- Do your operators use the rank
- Possession of permit, number of permits
- Cost of permit/s
- Control of rank
- Rank - size, location, sharing
- Facilities provided / available to passengers and operators
- Facilities required by operators
- Responsibility of providing infrastructure

Affiliation to Associations

- Associations affiliated with
- Reason for membership
- Payment to join association
- Level of success / satisfaction with the operation and functioning of Associations
- Level of control exercised by Associations
- Conflicts within Associations
- Ways to improve operations of Associations

Problems / Solutions

- Other owners
- Associations
- Drivers
- Authorities
- Other

APPENDIX 3
SUMMARY OF OPERATOR QUESTIONNAIRE

Summary Operator Questionnaire

Objective 3 : The identification of problems and needs of minibus operators.

Demographic Information

- Name and address
- Age, sex, race
- Education level

Driver Aspect

- Possession of all legal documents to make operation legal
- Qualifications required to obtain the job
- Length of employment with present employer
- Driving training programmes attended
- Accidents
- Traffic violations
- Reaction to complaints

Vehicle Aspect

- Year and model of vehicle
- Carrying capacity of vehicle
- Maximum number of passengers carried
- Roadworthiness of vehicle
- Maintenance of vehicle
- Cost and payment for maintenance
- Problems associated with identification of minibus by users
- Ways to improve identification of minibuses

Labour / Working Conditions

- Nature of agreement between owner and driver regarding salary
- Number of working days per week
- Number of working hours per day
- Affiliation to Associations or Unions
- Provision of fringe benefits
- Level of satisfaction with working conditions
- Grievances
- Improvements to working conditions

Operating Characteristics

- Commencement of first trip - time, place
- Completion of last trip - time, place
- Nature of route - fixed/flexible
- Fare structure- fixed/flexible
- Length of trip
- Time to complete each trip - one way
- Total time per trip
- Identify peak operating time
- Average number of trips during peak period
- Average number of passengers during peak period
- Total number of trips per day
- Total number of passengers per day
- Formal record of trips, passengers, monies for day/week/month

Problems / Relationship with key players of minibus

- Passengers
- Owners
- Route Association
- Traffic officials
- Operators (of same route)
- Operators (from other routes)
- Motorists
- Pedestrians

Infrastructure

- Rank : size, location, control, sharing
- Road : condition, lane accommodation on route, availability of stoppage bays; signs
- Bays : number available
- Facilities available at :
 - Ranks for passengers and operators
 - Stops for passengers and operators
- Facilities required at :
 - Ranks for passengers and operators
 - Stops for passengers and operators
- Problems experienced at ranks and on routes
- Ways to overcome problems at ranks and on routes

Solutions to improve relationship

- Passengers
- Owners
- Route Association
- Traffic officials
- Operators (same route)
- Operators (other routes)
- Motorists
- Pedestrians

APPENDIX 4
ROAD TRANSPORTATION ACT NO. 74 OF 1977

ACT

To provide for the control of certain forms of road transportation and for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 7 June 1977.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions.

1. (1) In this Act, unless the context otherwise indicates—
 - (i) "Administrator" includes the Administrator of the Territory; (i)
 - (ii) "authorized officer" means an inspector, any member of the South African Police, any member of the South African Railways Police Force in respect of any place whether within or beyond the limits of the railways as defined in section 1 (1) of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957), or of the harbours as defined in the said section, or any person in the service of a provincial administration or a local authority whose duty it is to inspect motor vehicles or licences for motor vehicles or to control traffic; (viii)
 - (iii) "board" means a local road transportation board established in terms of section 4; (xxix)
 - (iv) "bus" means a motor vehicle designed or adapted for the conveyance of more than nine persons (including the driver); (iii)
 - (v) "carrier" means a person whose business it is to convey persons or goods for reward; (xiii)
 - (vi) "class", in relation to persons, includes population group; (xiv)
 - (vii) "commission" means the National Transport Commission mentioned in section 3 of the Transport (Co-ordination) Act, 1948 (Act No. 44 of 1948); (xv)
 - (viii) "competent board", in relation to—
 - (a) an application for the grant, renewal, amendment or transfer of a permit, means a board which in terms of section 7 (i) (c) has jurisdiction to deal with such application;
 - (b) a permit issued by a board, means the board which issued such permit; (ii)
 - (ix) "decentralized industry" means a factory or workshop situated within an area declared to be a decentralized industrial area under section 2 (c); (vi)
 - (x) "distinguishing mark" means a distinguishing mark contemplated in section 24 (1) (e); (xix)
 - (xi) "exempted area" means an area declared to be an exempted area under section 2 (b); (xxxviii)

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- (xii) "exempted goods" means goods declared to be exempted goods under section 2 (d); (xxxix)
- (xiii) "goods" includes livestock; (ix)
- (xiv) "goods vehicle" means a motor vehicle designed or adapted for the conveyance of goods; (xxxvii)
- (xv) "hired motor vehicle" does not include a hired motor vehicle if the hirer is, in terms of the definition of "owner" in this subsection, its owner; (vii)
- (xvi) "holder", in relation to a permit, means the person in whose favour such permit was issued; (xi)
- (xvii) "inspector" means a road transportation inspector designated as such under section 11; (xii)
- (xviii) "local authority" means any institution, council or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), and includes—
 - (a) the government of any territory which has been declared a self-governing territory within the Republic by or under any Act of Parliament;
 - (b) the government of any area for which a legislative assembly or a legislative council has been established under the Bantu Homelands Constitution Act, 1971 (Act No. 21 of 1971), or the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968);
 - (c) any Bantu territorial, regional or tribal authority established under the Bantu Authorities Act, 1951 (Act No. 68 of 1951);
 - (d) any Bantu Affairs Administration Board established by the Bantu Affairs Administration Act, 1971 (Act No. 45 of 1971);
 - (e) the Bantu Resettlement Board established by the Bantu Resettlement Act, 1954 (Act No. 19 of 1954); (xxvi)
- (xix) "Minister" means the Minister of Transport; (xvi)
- (xx) "motor-car" means a motor vehicle designed or adapted for the conveyance of not more than nine persons (including the driver); (xvii)
- (xxi) "motor vehicle" means any vehicle (other than a motor bicycle) designed or adapted for propulsion or haulage on a road by means of any power other than human or animal power and without the aid of rails, and includes any trailer, but does not include such vehicle also designed or adapted exclusively for towing another vehicle, and not used for the conveyance of goods; (xviii)
- (xxii) "owner", in relation to a motor vehicle registered in any area under the law governing the registration of motor vehicles in force in that area, means the person who for the purposes of that law is its owner; (iv)
- (xxiii) "permit" means a public permit, private permit or temporary permit; (xxv)
- (xxiv) "private permit" means a private road carrier permit granted under section 18; (xxvii)
- (xxv) "province" includes the Territory, and "provincial" has a corresponding meaning; (xxviii)
- (xxvi) "public permit" means a public road carrier permit granted under section 13; (xxii)
- (xxvii) "public road" means any road declared or recognized as a public road under any law, and includes any road, street or thoroughfare or other place (whether a thoroughfare or not) to which the public or any section of the public has a right of access; (xxi)
- (xxviii) "railway service" means a transportation service operated over any line of railway constructed by or on behalf of the Railways Administration or any private person or any juristic person, by virtue of an Act of Parliament; (xxxiii)

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Designation of
inspectors.

11. The Secretary for Transport may designate any officer or employee of the Department of Transport as a road transport inspector, whose powers and duties shall be prescribed by regulation.

Application in
respect of a
public permit.

12. (1) Any person who desires to undertake any road transportation other than road transportation which may be authorized by the issue of a private permit or a temporary permit, may apply in the manner prescribed by regulation to the commission or a competent board for the grant of a public road carrier permit authorizing him to do so.

(2) Any holder of a public permit may apply in the manner prescribed by regulation to the commission or the competent board, as the case may be, for the renewal or amendment of such permit.

(3) Any person may apply, in the manner prescribed by regulation, and with the written consent of the holder of a public permit, to the commission or the competent board, as the case may be, for the transfer of such permit to him.

Disposal of
application in
respect of a
public permit.

13. (1) Subject to the provisions of this Act, the commission or a board shall receive and consider any application for or in respect of a public road carrier permit made or referred to it thereunder, and may thereafter, in its discretion—

- (a) grant such application in full; or
- (b) grant such application in part; or
- (c) grant such application in full or in part subject to such conditions or requirements as it may deem necessary; or
- (d) refuse such application.

(2) (a) The commission or a board may refuse to consider any application for the grant, amendment or transfer of a public permit made by any person if a previous application by that person, which in the opinion of the commission or the board concerned had the same or substantially the same object as the first-mentioned application, was considered and refused by the commission or a competent board within the period of six months preceding the date on which such first-mentioned application is received in the office of the commission or the board concerned.

(b) For the purposes of paragraph (a) a refusal by any board to concur under section 7 (3) in the grant, renewal, amendment or transfer of a public permit by another board shall, in relation to any application made to the first-mentioned board, be deemed not to be a refusal of an application by it.

(c) No appeal shall lie to the commission against any act, direction or decision performed or given by a board under paragraph (a).

Publication of
application in
respect of a
public permit.

14. (1) The commission or a board shall, before considering any application for the grant, amendment or transfer of a public permit, and may, before considering any application for the renewal of such a permit, publish full particulars of such application in the *Gazette*.

(2) Any interested person may, in the manner and within the time prescribed by regulation, submit representations to the commission or the board concerned, as the case may be, objecting to or supporting an application published under subsection (1), and the commission or board concerned shall allow any such person who, within the time so prescribed, submits representations objecting to an application, to inspect and make copies, free of charge, of the completed application form of the applicant, together with any other document which the applicant has submitted with his application form.

(3) The commission or a board shall, before granting a public permit authorizing the regular conveyance of persons for reward within the area of jurisdiction of a municipal council, city council

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or town council, or amending such a permit by altering the points between which or the route or routes upon which the motor vehicle to which the permit relates may be used in road transportation, afford the municipal council, city council or town council concerned an opportunity to submit representations, in the manner and within the time prescribed by regulation, in regard to the points between which and the route or routes upon which such motor vehicle may be so used and in regard to any other condition which may be applied to a permit.

(4) The commission or a board shall, before it—

(a) grants a public permit which authorizes the regular conveyance of persons for reward; or

(b) amends a public permit which authorizes the regular conveyance of persons for reward, by altering the points between which or the route upon which the motor vehicle to which the permit relates, may be used in road transportation,

give the Railways Administration the opportunity of furnishing in the manner and within the time prescribed by regulation, information regarding any new railway service, within the area to which the permit mentioned in paragraph (a) relates, or between the points or over the route mentioned in paragraph (b), which has been planned or is contemplated by the Railways Administration.

Matters to be taken into consideration in disposing of an application in respect of a public permit.

15. (1) In deciding whether an application for the grant, renewal, amendment or transfer of a public permit shall be granted or refused, and in determining any conditions and requirements to which any such permit shall be made subject, the commission or a board shall take into consideration—

(a) the extent to which the transportation to be provided is necessary or desirable in the public interest;

(b) the requirements of the public for transportation within the area or along the route or between the points in or over or between which the applicant proposes to operate;

(c) the existing transportation facilities available to the public in that area or over that route or between those points;

(d) any new railway service which has been planned or is contemplated for the conveyance of persons within that area or over that route or between those points;

(e) the co-ordination of all forms of transportation, including transportation by rail, on an economically sound basis and with due regard to the public interest;

(f) the ability of the applicant to provide in a manner satisfactory to the public the transportation for which such permit is sought;

(g) any previous conviction of the applicant for an offence in terms of this Act, and any other failure by the applicant as an operator of road transportation;

(h) the existence of any prohibition, limitation or restriction imposed by law on the use of motor vehicles in any area or on any street or road on the route on which the applicant proposes to operate;

(i) any representations duly submitted in connection with the application;

(j) the class of persons to which the applicant belongs and the class or classes of persons to be served by the transportation service for which such permit is sought;

(k) any recommendation made by the committee appointed under section 2 (h);

(l) any report or document drawn up as a result of an inquiry contemplated in section 3 (1) (g);

(m) any other factors which, in the opinion of the commission or the board concerned, may affect the question whether it is desirable to grant such application or to attach or vary any such condition or requirement.

(2) (a) When an applicant applies for a public permit to undertake road transportation within an area or over a route or between two or more points already served by existing transportation facilities, the onus shall be upon the applicant of proving that—

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- (i) such existing transportation facilities are not satisfactory and sufficient to meet the transportation requirements of the public in that area or along that route or between those points; or
- (ii) the tariff at which payment for such existing transportation facilities is to be made is unreasonable: Provided that railway tariffs shall, for the purposes of this section, be deemed to be reasonable; or
- (iii) having regard to the circumstances, it will be expedient in the public interest to grant him the permit; or
- (iv) he belongs to the same class as the majority of the persons to be served by the transportation service for which the permit is sought, and that it is in the interests of such persons desirable to grant him the permit; and
- (v) he has the ability to provide in a manner satisfactory to the public the transportation for which the permit is sought.

(b) When an applicant applies for a public permit to undertake road transportation in circumstances not contemplated in paragraph (a), the onus shall be upon the applicant of proving that—

- (i) there is a need for such transportation within the area or along the route or between the points in or over or between which he proposes to undertake such transportation; and
- (ii) he has the ability to provide in a manner satisfactory to the public the transportation for which such permit is sought.

(3) In granting any application for a public permit, the commission or a board may give preference to an applicant who belongs to the same class as the majority of the persons to be served by the transportation service for which a permit is sought.

(4) The commission or a board may at the request of the holder of a permit in respect of whom an inquiry contemplated in section 3 (1) (g) was instituted, refuse to disclose to any interested person any report or document prepared as a result of such inquiry, or any part thereof.

(5) For the purposes of this section—

- (a) an association of persons or a body corporate or unincorporate, including any company registered under the law relating to companies, shall be deemed to be a person of the class determined by the commission or the board concerned, as the case may be, and the commission or such board may, in so determining a class, have regard to the classes of persons who are members of, or have an interest in, such association or body;
- (b) transportation shall be deemed to be capable of being co-ordinated with existing transportation facilities if such transportation is to be provided to or from a place or area situated on or along a route, or included in an area, served by such existing transportation facilities.

Period of a
public permit.

16. (1) The commission or a board may grant or renew a public permit for an indefinite period or, in its discretion, for such fixed period as it may determine.

(2) If at the date on which a public permit granted for a fixed period expires, an application for its renewal is pending before the commission or competent board, such permit shall continue in force until the application has been disposed of.

Application in
respect of a
private permit.

17. (1) Any person who carries on any industry or trade or business and who—

- (a) wishes to convey, in the course of such industry, trade or business, goods acquired or sold or otherwise disposed of by him, by means of a motor vehicle of

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which he is the owner, between any place where he carries on such industry, trade or business and any place situated outside any exempted area or outside any area mentioned in section 1 (2) (y);

(b) subject to the provisions of section 1 (2) (k), wishes to convey his own employees by means of a motor vehicle of which he is the owner—

(i) from any place where they are or have been employed in the course of such industry, trade or business to any other place where they are to be so employed; or

(ii) between any place where they are to be or have been employed in the course of such industry, trade or business, and their place of residence,

may in the manner prescribed by regulation apply to the commission or competent board for the grant of a private road carrier permit authorizing such conveyance by him on a public road.

(2) Any holder of a private permit may in the manner prescribed by regulation apply to the commission or the competent board for the renewal or amendment of such permit.

Disposal of
application in
respect of a
private permit.

18. (1) Subject to the provisions of this Act, the commission or a board shall receive and consider any application for or in respect of a private road carrier permit made or referred to it thereunder, and may thereafter, in its discretion but subject to the provisions of subsections (2) and (3)—

(a) grant such application in full; or

(b) grant such application in part; or

(c) grant such application in full or in part subject to such conditions or requirements as it may deem necessary; or

(d) refuse such application.

(2) Any interested person—

(a) who applies therefor within the period prescribed by regulation, shall be allowed by the commission or board concerned, as the case may be, to inspect the completed form of application of the applicant, together with any other document which the applicant has submitted with his form of application, and to make copies thereof, free of charge;

(b) may in the manner and within the time similarly prescribed, submit representations to the commission or the board concerned, as the case may be, objecting to or supporting any application mentioned in subsection (1), and the commission or such board shall take any representations so submitted into account in disposing of such application.

(3) The commission or a board shall not under this section grant any application unless it is satisfied (the onus of proving which being upon the applicant)—

(a) that the applicant carries on the industry, trade or business in relation to which the application is made, at the place or places specified in the application, as contemplated in section 17 (1);

(b) in the case of any application relating to the goods mentioned in section 17 (1) (a), that it would be unreasonable under the circumstances to expect the applicant to make use of any available railway service for the conveyance of the goods to which the application relates; notwithstanding that the railway tariffs concerned shall be deemed to be reasonable.

(4) In deciding whether an application for the grant, renewal or amendment of a private permit authorizing road transportation contemplated in section 17 (1) (b) (ii), shall be granted or refused, and in determining conditions and requirements to which any such permit shall be made subject, the commission or a board shall take into consideration the provisions of section 15 (1) (b), (c), (e) and (f).

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Period of a private permit.

19. (1) The commission or a board may grant or renew any private permit for an indefinite period or, in its discretion, for such fixed period as it may determine.

(2) If, at the date on which a private permit granted for a fixed period expires, an application for its renewal is pending before the commission or the competent board, such permit shall continue in force until the application has been disposed of.

Application for a temporary permit and disposal thereof.

20. (1) Any person may in the manner prescribed by regulation apply to the commission or a competent board for the grant of a temporary road carrier permit authorizing him to undertake road transportation of a temporary nature and upon a particular date or in connection with a particular occurrence.

(2) Subject to the provisions of this Act, the commission or a competent board shall receive and consider any application for a temporary road carrier permit made or referred to it thereunder, and may thereafter, in its discretion—

- (a) grant such application in full; or
- (b) grant such application in part; or
- (c) grant such application in full or in part subject to such conditions or requirements as it may deem necessary; or
- (d) refuse such application.

(3) The commission or a board shall not grant any application for a temporary permit if, in its opinion, reasonable transportation facilities exist by means of which the persons or goods in respect of which such permit is sought can be conveyed.

(4) The commission or a board may grant a temporary permit for such fixed period not exceeding fourteen days as it may determine.

(5) The powers and duties of the commission or a competent board in terms of this section may, notwithstanding anything to the contrary contained in this Act, in such circumstances, or in respect of such categories of applications for temporary permits, as may be prescribed by regulation, be exercised or performed on its behalf by its chairman or any of its members nominated for that purpose by its chairman.

Issue of a permit, and provisions thereof.

21. (1) Subject to the provisions of subsection (2), the commission or a board shall issue, in such manner as may be prescribed by regulation, any permit granted, renewed, amended, or transferred by it in terms of this Act.

(2) The commission or a board shall not issue any public permit granted, renewed, amended or transferred by it in terms of this Act, unless—

- (a) it is satisfied that every motor vehicle in respect of which such permit was so granted, renewed, amended or transferred, is suitable for the class of road transportation for which it is to be used; and
- (b) in respect of each such motor vehicle a certificate of fitness issued under the law relating to the licensing and registration of motor vehicles in the province in question, on or after a date determined in the manner prescribed by regulation, or a copy of such a certificate authenticated in the manner so prescribed, has been submitted to it.

(3) Any permit issued by the commission or a board shall specify the following, namely—

- (a) the name of the holder and his address, including, in the case of a holder who carries on any road transportation business, his business address, and in the case of a private permit, the address at which or a description of the place or places where, the industry, trade or business in respect of which the private permit was granted, is carried on;
- (b) the period for which it was granted, if granted for a fixed period;

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- (c) the nature or class or classes of road transportation in respect of which it was granted, and the class or classes of persons or the class or classes of goods which may be conveyed under such permit or the class or classes of persons whose goods may be so conveyed, as the commission or board may in each case in its discretion determine;
- (d) the registration number, make, year of manufacture, type and seating or carrying capacity of the motor vehicle in respect whereof it is issued;
- (e) the points between and the route or routes upon which or the area or areas within which the motor vehicle to which it refers may be used in road transportation, and if any restriction is imposed in connection with any transportation upon any portion of such route or routes or in any area or areas or in any portion of such area or areas, the points between or the area within which such restriction shall be applied and the conditions thereof;
- (f) the manner in which tariffs, if approved or laid down by the commission or board, and which may in the discretion of the commission or board differ in respect of different classes of persons, shall be published or exhibited.

(4) In any permit issued by the commission or a board it may direct the holder thereof—

- (a) to operate any motor vehicle to which the permit relates, according to a specified time table as approved or laid down by the commission or such board upon the grant of the permit or as altered from time to time in the manner prescribed by regulation;
- (b) to employ for the operation of any motor vehicle to which the permit relates, only a specified class or specified classes of persons;
- (c) to furnish the commission or such board with the name and address of every person authorized to advertise on behalf of such holder;
- (d) to comply with any requirement or condition imposed under any other provision of this Act.

(5) Notwithstanding the provisions of sections 24 (2) and 42, the commission or a board may, and a board shall, if the commission so directs, in any public permit issued by it for the conveyance of more than one class of person, specify the following, namely—

- (a) the portion or portions of the motor vehicle to which such permit relates which shall be set aside for the conveyance of any such class or classes of persons; and
- (b) the form and manner in which the holder of such permit shall display on such motor vehicle a notice specifying the portion or portions so set aside; and
- (c) the conditions on which the holder of such permit or any of his employees acting on his authority may, if authorized thereto in terms of such permit, vary any portion so set aside:

Provided that no matter shall be specified in terms of paragraph (a) or (c) in a public permit issued in respect of a motor vehicle which has been or will be operated regularly within the area of a local authority in terms of that permit, unless that local authority has been given an opportunity to submit representations in regard thereto in the manner and within the time prescribed by regulation.

Records of permits.

22. The commission and each board shall keep at its place of business a copy of every permit issued by it in terms of this Act and of every amendment made to any such permit, and shall allow any person who is in any way affected by such a permit or amendment, to inspect it and make copies of it free of charge.

Additional
authority
conferred by
a permit.

23. Any permit shall, in addition to the transportation expressly authorized by it, authorize also the conveyance of any person necessary in connection with such expressly authorized transportation.

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Duties of the holder of a permit.

24. (1) The holder of a permit shall—
- (a) except where the commission has directed otherwise, carry the permit on the motor vehicle to which it relates, and produce it on demand to any authorized officer;
 - (b) keep the permit in such a condition that all letters and figures on it are clearly legible and, if the permit is damaged or ceases to be clearly legible, apply for a duplicate in the manner prescribed by regulation;
 - (c) in the case of a public permit or private permit (except such a permit issued in respect of such classes of road transportation as the commission or the board concerned may in its discretion determine), cause the name, address and nature of the business of such holder, and, in the case of a public permit issued for the conveyance of only one class of persons, a notice specifying such class of persons, to be borne on the motor vehicle to which the permit relates, in a conspicuous place, in such manner as may be prescribed by regulation or in such other manner as the commission or the board concerned may in any particular case approve in writing;
 - (d) exhibit such other particulars as may be prescribed by the commission or the board concerned in its discretion;
 - (e) in the case of a public permit or a private permit, affix and keep affixed in the manner prescribed by regulation, a distinguishing mark on any motor vehicle used in road transportation in terms of such permit.

(2) A permit issued by the commission or a board under this Act—

- (a) shall not authorize the holder thereof to undertake road transportation over any public road within the area of jurisdiction of a municipal council, city council or town council, if it is unlawful under any ordinance, regulation or by-law in force in such area, or as a result of any action taken by such municipal council, city council or town council under any such ordinance, regulation or by-law, to use a motor vehicle on that road or to undertake on that road any transportation of the class to which such permit relates;
- (b) shall not exempt the holder thereof from the obligation to comply with any requirement imposed upon him under any other law or under any licence or permit issued by any other authority.

Withdrawal, suspension or variation of a permit.

25. (1) Subject to the provisions of subsection (2), the commission or a competent board may at any time—

- (a) withdraw, or suspend for such period as it may deem fit, any public permit or private permit granted by it—
 - (i) if the holder of such permit or any employee of such holder has been convicted of any offence under this Act or under any law relating to motor vehicles or the regulation of traffic, or, in the case of such a holder who carries on a road transportation business, of a contravention or failure to comply with the provisions of any determination, agreement, award, licence or exemption which relates to remuneration for work or hours of work and which is in terms of any law binding upon such holder as an employer, and upon his employees in such business; or
 - (ii) if, in the opinion of the commission or the board concerned, the holder of such permit has not carried out faithfully the conditions or requirements of such permit; or
- (b) in its discretion withdraw, or suspend for such period as it may deem fit, any permit, if the circumstances under which such permit was granted have materially changed; or

APPENDIX 5
APPLICATION FORM FOR PERMIT

REPUBLIEK VAN SUID-AFRIKA
DEPARTEMENT VAN VERVOER



Republiek van Suid-Afrika
Republic of South Africa

REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF TRANSPORT

AANSOEK OM PERMIT
kragtens die Wet op Padvervoer, 1977
(Wet No. 74 van 1977)

APPLICATION FOR PERMIT
in terms of the Road Transportation Act, 1977
(Act No. 74 of 1977)

BELANGRIK OM TE LEES

IMPORTANT TO READ

(a) Skryf een hoofletter per blokkie.

bv.

M	O	T	O	R	S
---	---	---	---	---	---

 e.g.

(a) Write one capital letter per block.

(b) Trek 'n kruis (X) in die toepaslike ruimte.

bv.

Posadres Postal address	Straatadres Street address
----------------------------	-------------------------------

e.g. (b) Mark with a cross (X) where applicable.

(c) Datums word in jaar, maand en dag volgorde geskryf.

bv.

1	9	9	2	0	5	2	8
---	---	---	---	---	---	---	---

 e.g.

(c) Dates shall be written in year, month and day sequence.

(d) Waar met 'n asterisk (*) gemerk, skrap wat nie van toepassing is nie.

(d) Where marked with an asterisk (*), delete words not applicable.

(e) Waar met 'n huts (#) gemerk, verskaf die name van bestemming, Hoof en Distrik van toepassing op die aansoeker se woning, indien geen posadres of straatadres beskikbaar is nie.

(e) Where marked with a hash (#), supply the names of the Location, Chief and District applicable to the applicant's place of residence, if no postal or street address is available.

(f) LIGGAAM VAN PERSONE verwys na liggame bv. maatskappye, vennootskappe, beslote korporasies, kerke en klubs.

(f) BODY OF PERSONS refers to bodies such as companies, partnerships, close corporations, churches and clubs.

(g) Die ADRES DOMICILIUM CITANDI ET EXECUTANDI is die adres waar amptelike korrespondensie bestel moet word.

(g) The ADDRESS DOMICILIUM CITANDI ET EXECUTANDI is the address where official correspondence must be served.

(h) Hieronder is 'n lys van moontlike transaksies wat u kan aanvra deur die vorm in te vul.

bv.

	A	B	C
X	A		C

e.g.

Vul dele A en C in
Complete parts A and C

(h) Below is a list of possible transactions which you may request by completing this form.

Indicate the transaction(s) that you require by making a cross (X) in the appropriate space below. Complete those parts of the form which are given in the other columns.

NOTA

In die geval van 'n openbare of 'n private permit moet 'n bedrag van R25 per voertuig hierdie aansoek vergesel.

In die geval van 'n tydelike permit moet 'n bedrag van R15 per voertuig vir RSA voertuie en die gespesifiseerde bedrag per voertuig vir voertuie geregistreer buite die RSA, hierdie aansoek vergesel.

Indien die aansoek goedgekeur word, sal voorlegging van 'n geskiktheidsertifikaat ten opsigte van elke voertuig verlang word.

In die geval van 'n privaatchemint moet kopieë van die handels- en voertuiglisensies aangeheg word.

NOTE

In the case of a public or a private permit a fee of R25 per vehicle must accompany the application.

In the case of a temporary permit a fee of R15 per vehicle for RSA vehicles and the fee as specified per vehicle not registered in the RSA must accompany the application.

Should the application be approved, a certificate of fitness must be submitted for each vehicle.

In respect of a private permit, copies of the trade and vehicle licences must be attached.

LYS VAN MOONTLIKE AANSOEKE

LIST OF POSSIBLE APPLICATIONS

Transaksie aangevra Transaction requested	Dele van die vorm om in te vul Parts of the form to be completed					APPLICATION FOR:
	A	B	C	D	E	
AANSOEK OM:						New permit(s)
Nuwe permit(te)						Renewal of permit
Hernuwing van permit						Additional authority
Bykomende magtiging						Additional vehicle
Bykomende voertuig						Duplicate permit
Duplikaatchemint						Amendment of route
Wysiging van roete						Replacement of vehicle
Vervanging van voertuig						Notice of change in particulars
Kenniggewing van verandering van besonderhede						Amendment of timetable and of tariffs
Wysiging van tydtafel en van tariewe						Temporary permit
Tydlike chemint						

NET VIR KANTOORGEbruik

FOR OFFICE USE ONLY

Verwysingsnommer

--	--	--	--	--	--	--	--	--	--

Reference number

Gelde betaal en reeksnommer van
kwitansie (aansoeknommer)

R

en

--	--	--	--	--	--	--	--	--	--

Fees paid and serial number of
receipt (application number)

Datum van data toegevoer

:	:	:	:
---	---	---	---

Date of data entered

Datum van Staatskoerant
(indien van toepassing)

:	:	:	:
---	---	---	---

Date of Government Gazette
(if applicable)

Staatskoerantnommer

--	--	--	--	--	--	--	--	--	--

Government Gazette number

¹¹N.B. - For temporary permit only.

BESONDERHEDE VAN VOERTUIG

DEEL - E - PART

PARTICULARS OF VEHICLES

INSTRUKSIE

Indien meer as 4 voertuie/permitte ter sprake is, heg kopieë van DEEL E aan om al die voertuie te lys.

Belangrik—Indien u nog nie in besit van 'n voertuig is nie, vul slegs die kolomme gemerk "" in. Die aansoeker word aangeraai om die aankoop van voertuie agterwê te hou totdat die uitslag van hierdie aansoek bekend is. Die voertuie soos hier gelys moet elk vir die ooreenstemmende permit aangewend word.

INSTRUCTION

Should more than 4 vehicles/permits be involved, attach copies of PART E to reflect all the vehicles.

Important—Complete columns marked "" if not yet in possession of a vehicle. The applicant is advised to withhold the purchase of vehicles until such time as the outcome of this application is known. The listed vehicles must each be used for the corresponding permit.

ONDERSTELNOMMER
CHASSIS NUMBER

REGISTRASIENOMMER
REGISTRATION NUMBER

ENJINNOMMER
ENGINE NUMBER

**BRUTO VOERTUIGMASSA
**GROSS VEHICLE MASS

**SITPLEK-
RUIMTE
**SEATING
CAPACITY

1																				
2																				
3																				
4																				

1									
2									
3									
4									

1																				
2																				
3																				
4																				

1									
2									
3									
4									

1			
2			
3			
4			

FABRIKAAT
MAKE

**TIPES
VOERTUIG
**TYPE OF
VEHICLE

GSS VERVALDATUM
COF EXPIRY DATE

GSS VERWYSINGSNOMMER
COF REFERENCE NUMBER

PERMITNOMMER
PERMIT NUMBER

PERMIT UIT-
REIKINGSNOMMER
PERMIT ISSUE
NUMBER

1																				
2																				
3																				
4																				

1		
2		
3		
4		

1									
2									
3									
4									

1									
2									
3									
4									

1																				
2																				
3																				
4																				

1		
2		
3		
4		

BYKOMENDE INLIGTING IN VERBAND MET VOERTUIG/OPMERKINGS

ADDITIONAL INFORMATION IN RESPECT OF VEHICLES/REMARKS

§ Gebruik onderstaande voertuigkode/Use vehicle codes below.

Tipe voertuig Type of vehicle	Kode Code
Motorkar Motorcar	1
Kombi/Mikrobus/Minibus Combi/Micro bus/Mini bus	2
Bus (enkeldek) Bus (single deck)	3
Bus (dubbel dek) Bus (double deck)	4

Tipe voertuig Type of vehicle	Kode Code
Buigbus/Bustrein Bendi bus/Bus-train	5
Leunbus Semi-bus	6
Paneelwa Panel wagon	7

Tipe voertuig Type of vehicle	Kode: Vragmotor Code: Truck	Kode: Sleepwa Code: Trailer
Platbak Flat deck	10	20
Wipbak Tipper	11	21
Tenkwa Tanker	12	22
Valkantbak Drop side body	13	23

Tipe voertuig Type of vehicle	Kode: Vragmotor Code: Truck	Kode: Sleepwa Code: Trailer
Toebak Van body	14	24
Kokerbak Bin body	15	25
Ander Other	16	26

APPENDIX 6
COPY OF PREVIOUSLY ISSUED PUBLIC CARRIER ROAD PERMIT AND
DISC

OORSPRONKLIK/ORIGINAL

Boord 14 Sept 93

Lede Kruis

TV 3/6

REPUBLIEK VAN SUID-AFRIKA
DEPARTEMENT VAN VERVOERREPUBLIC OF SOUTH AFRICA
DEPARTMENT OF TRANSPORT

OPENBARE PADVERVOERPERMIT • PUBLIC ROAD CARRIER PERMIT

Uitgereik kragtens en onderworpe aan die
bepalings van die Wet op Padvervoer, 1977
(Wet 74 van 1977).Issued in terms of and subject to the provi-
sions of the Road Transportation Act, 1977
(Act 74 of 1977).

Sonder veranderings of uitkrappings uitgereik.

Issued without alteration or erasure.

A. Besonderhede van houer van permit/Particulars of holder of permit:

Naam
NameSamuels Magedi Nell
FSD: 410313 002207

Besigheidsadres/Business address:

517 Silverleaf Lane
Wentworth
4052

Posadres/Postal address:

OP 782477

Gelde:
Fees:

Issue

Kwitansie
Receipt

367808

Datumstempel
Date-stamp

1993-09-30

PADVERVOER • ROAD TRANSPORT

Onderskeidingsteken/Distinguishing mark

OP 782477

Geldigheidsduur/Period of validity

1993-09-30 - Indel. b

Houer/Holder

Samuels

m.n.

Voertuig/Vehicle

59054

Kode/Code

a

B. Geldigheidsduur/Period of validity:

Hierdie permit is geldig vanaf
This permit is valid from

1993-09-30 - Indel. b

C. Magtiging/Authority:

Hierdie permit verleen magtiging vir die vervoer soos uiteengesit in die aangehegte Bylae No.
This permit authorises the conveyance as set out in the attached Annexure No.

11 (a)

D. Motorvoertuig waarmee die vervoer wat in C gemagtig word, onderneem moet word:
Motor vehicle with which the conveyance authorised under C must be undertaken:

Registrasieno./Registration No. 11059054

Sitplekruimte/Seating capacity 11 (seleu)

Fabrikaat/Make Toyota

Soort voertuig/Type of vehicle m.b.

Enjin/Engine No. 449001561

Jaar van vervaardiging/Year of manufacture 1989

Onderstel/Chassis No. 511 639000910

Bruto/voertuigmassa/Gross vehicle mass 2300

11 313000-08-7-94

Tara/Tare 1500

Example of Old Road Carrier Permit. Above triangle - to be cut out and displayed as a disc on the windscreen of the vehicle.

APPENDIX 7
COPY OF NEW PUBLIC ROAD CARRIER PERMIT
AND ATTACHED DISC

APPENDIX 8
ROAD TRAFFIC REGULATION ACT 29 OF 1989,
REGULATION 267, SUB (1)

RCP 4

Republiek van Suid-Afrika

DEPARTEMENT VAN VERVOER

OPENBARE PERMIT

Uitgereik kragtens en onderworpe aan die bepalings van die Wet op Padvervoer, 1977 (Wet 74 van 1977).

Uitgereik sonder veranderings of wysigings.

TV3/6

Republic of South Africa

DEPARTMENT OF TRANSPORT

PUBLIC PERMIT

Issued in terms of and subject to the provisions of the Road Transportation Act, 1977 (Act 74 of 1977).

Issued without alterations or erasures.

BESONDERHEDE VAN PERMITHOUER

Permitnommer
Aansoeknommer

ID-nommer

Naam

Adres

PERMIT HOLDER PARTICULARS

Permit number
Application number

ID-number

Name

Address

VOERTUIGBESONDERHEDE

Registrasienommer
Bruto voertuigmassa
Onderstelnummer
Passasiers
Tipe voertuig

VEHICLE PARTICULARS

Registration number
Gross vehicle mass
Chassis number
Passengers
Type of vehicle

PERMITBESONDERHEDE

Oorgrenpermit
Geldig vanaf
Geldig tot

PERMIT PARTICULARS

Cross border permit
Valid from
Valid until

Hierdie permit verleen magtiging en is beperk tot die vervoer volgens die volgende beskrywing:

This permit authorises and is restricted to the conveyance as set out in the following description:

BYLAATSE ANNEXOOR 1

Datum/Date

PLAASLIKE PADVERVOERRAAD
PRIVAATSAK/PRIVATE BAG X9015

15 APR 1996

PIETERMARITZBURG 3200
LOCAL ROAD TRANSPORTATION BOARD

PIETERMARITZBURG

PADVERVOER / ROAD TRANSPORT OPENBARE PERMIT / PUBLIC PERMIT

Permitnommer	PMG 2505/15	Permit number	
Oorgrenpermit		Cross border permit	
Geldig vanaf	96/04/15	Valid from	
Houer		Holder	
Registrasienommer		Registration number	
Tipe voertuig	Kombi / Kombi	Type of vehicle	

Cut along
this line.

TO BE DISPLAYED
ON W/SCREEN OF
VEHICLE

A 04614009

Z 579

APPENDIX 9
ROAD TRAFFIC ACT, REGULATION 396

stationary or in motion, shall be provided with efficient ventilators independent of the windows of such compartment.

Windows and windscreens

396. (1) A mini-bus or bus –

- (a) shall have a continuous row of windows on the left and right hand side of the passenger compartment and such windows, other than the windows of entrance and exit doors and the first and the last side window, shall each have a frame, in the case of –
 - (i) a mini-bus, of not less than 345 millimetres by 450 millimetres; and
 - (ii) a bus, of not less than 450 millimetres by 450 millimetres;
- (b) shall have an overall window area of not less than 25 per cent of the floor area of the passenger compartment;
- (c) other than a bus having a system of forced ventilation induced by mechanical means whether such bus is stationary or in motion, shall have windows which can be opened to the same extent so that the total area of the open spaces shall be not less than five per cent of the floor area of the passenger compartment; and
- (d) may have other windows in addition to those referred to in paragraphs (a), (b) or (c).

(2) At least every alternate window in each side of a mini-bus or a bus, other than a bus having a system of forced ventilation induced by mechanical means whether such bus is stationary or in motion, shall be capable of being opened.

(3) No window in a bus shall be capable of being opened in such a manner that a person seated in a normal position is able to put his elbow out of the window.

(4) Every window-pane, windscreen and transparent partition of a mini-bus or bus shall be maintained in sound, unbroken and clear condition.

Fuel receptacles, etc

397. (1) The fuel tanks, fuel receptacles and fuel pipes of a mini-bus or bus shall be free of all leaks and shall not be placed inside the body or cab.

(2) No main fuel tank shall be placed close to the engine of a bus.

(3) The filling orifice or any fuel tank shall be placed to the outside of the body or cab of a mini-bus or a bus.

Fire extinguishers

398. (1) Every mini-bus or bus shall carry in a readily accessible position at least one fire extinguisher which shall be of –

- (a) the dry powder type with a capacity of at least two and a half kilograms; or
- (b) the halogenated hydrocarbon type (BCF) with a capacity of at least one kilogram,

and which shall be in good working order.

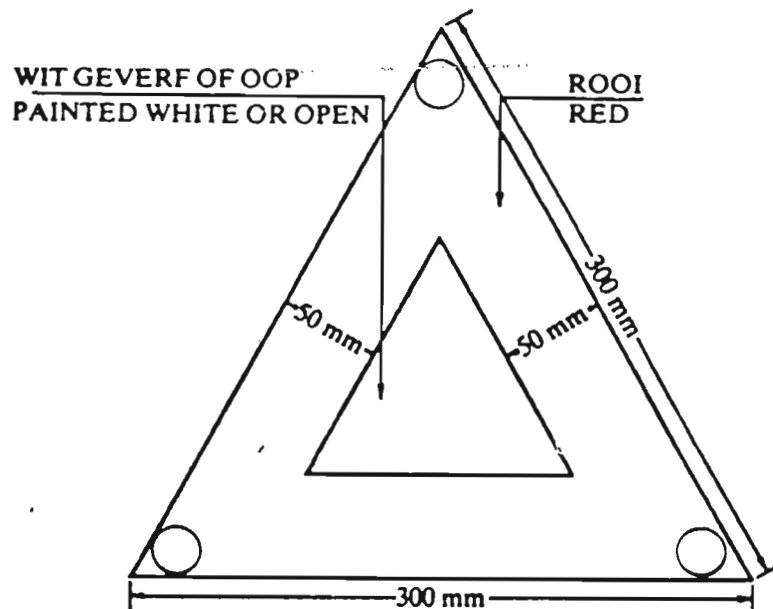
(2) When a motor vehicle referred to in subregulation (1) is presented to an examiner of vehicles for examination for a certificate of fitness, proof shall be furnished by the owner of such vehicle that the fire extinguisher is correctly charged and in good working order.

(3) If such fire extinguisher does not bear the manufacturer's serial number or any other identification number or mark, the examiner of vehicles

APPENDIX 10
ROAD TRAFFIC ACT, REGULATION 349

Emergency warning signs (Triangle)

349. (1) For the purposes of this regulation –
- (a) the expression “motor vehicle” excludes an ambulance, motor-car, motor cycle, motor tricycle or motor quadrucycle;
 - (b) “retro-reflector” means a retro-reflector as defined in regulation 1 (xxxviii);
 - (c) “reflective material” means reflective material which under all circumstances is capable of reflecting light.
- (2) No person shall operate on a public road –
- (a) a motor vehicle unless there is carried on such vehicle at least one emergency warning sign, which –
 - (i) is a double-sided sign having the shape, design, minimum dimensions and colours as illustrated hereunder, and of which the red portion on each side –
 - (aa) shall consist of red reflective material; or
 - (bb) shall be painted red and have retro-reflectors at each corner; or



- (ii) is an emergency warning sign contemplated in paragraph (b);
- (b) a motor vehicle, excluding a motor vehicle with a gross vehicle mass which does not exceed 3 500 kg, which according to the registration certificate thereof, was registered for the first time on or after 1 January 1990 unless there is carried on such vehicle at least one emergency warning sign, which –
- (i) is a warning sign complying with the requirements of Standard Specifications SABS 1329 Part 1 – 1987 for Retro-Reflective and Fluorescent Warning Sign For Road Vehicles, published in Government Notice No. 2227 dated 9 October 1987; and
 - (ii) bears one of the marks contemplated in regulation 1 (xxxviii);

APPENDIX 11
ROAD TRAFFIC REGULATION ACT 1989, REGULATION 269 SUB (2) (B)

Examination of motor vehicle and issue of certificate of fitness and certificate of fitness disc

269. (1) On receipt of an application in terms of regulation 268 (1) for a certificate of fitness in respect of a motor vehicle, the registering authority or testing station concerned shall determine a time and place for the examination and testing of such vehicle by an examiner of vehicles.

[Subr. (1) substituted by G.N. 125 of 14/2/1991 and G.N. 2694 of 15/11/1991.]

(2) If the examiner of vehicles, after the examination and testing of the motor vehicle concerned –

(a) is satisfied that such vehicle is roadworthy and is further satisfied in respect of such other matters as may be required for the purpose of the certificate of fitness, he shall –

(i) upon payment to the registering authority referred to in regulation 268 (1) of the appropriate fees provided for a certificate of fitness as provided for in Schedule 1; or

(ii) upon payment to the testing station contemplated in regulation 268 (1) of the fees required by such station, if any, issue or authorize the issue of a certificate of fitness and, as proof of the possession thereof, a certificate of fitness disc on a form similar to the prescribed form as shown in Schedule 2; or

[Par. (a) substituted by G. N. 125 of 14/2/1991.]

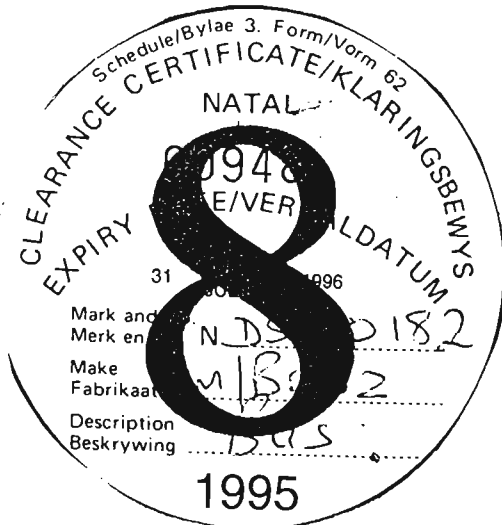
(b) is not so satisfied, he may allow the applicant, within a period fixed by him, but not exceeding 14 days from the date of such examination and testing, to remedy any defect in such vehicle and, if the examiner of vehicles is thereafter so satisfied, he shall act in terms of paragraph (a).

(3) Notwithstanding the provisions of subregulation (2), an examiner of vehicles authorized thereto in writing by the registering authority contemplated in subregulation (1) may, at any time before the motor vehicle which is being or has been examined and tested in terms of that subregulation is returned to the applicant for a certificate of fitness, examine or re-examine that motor vehicle, and for that purpose –

(a) he shall be deemed to be the examiner of vehicles contemplated in subregulation (2); and

(b) any prior action taken in respect of that vehicle in terms of subregulation (2), including the issue of or the authorization to issue a certificate of fitness or certificate of fitness disc, shall be of no force and effect.

APPENDIX 12
CERTIFICATE OF FITNESS AND ATTACHED DISC



NORMAL LICENCE
DISC.

PROVINCE OF NATAL / PROVINSIE NATAL P/T 29

CERTIFICATE OF FITNESS / **GESKIKTHEIDCERTIFIKAAT** **R15**

1995-5-16 EXPIRY DATE: 1996 May. 14. A 364405

PARTICULARS OF MOTOR VEHICLE				BESONDERHEDE VAN MOTORVOERTUIG		
REGISTRATION NO. REGISTRASIE NO.	MAKE FABRIKAAT	DESCRIPTION BESKRYWING	ENGINE NO. MASJIN NO.	CHASSIS NO. ONDERSTEL NO.	TARE TARRA	GROSS VEHICLE MASS BRUTO VOERTUIG-MASSA
MTU 2727	Toyota	HiAce	449084	446357	1530	2800

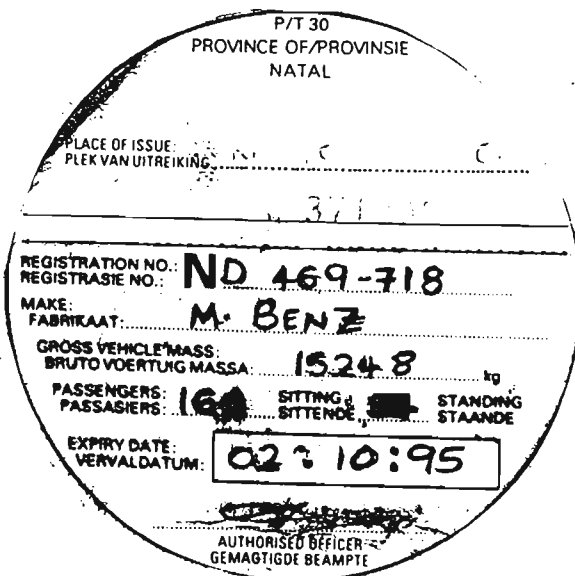
CONDITIONS UNDER WHICH GRANTED		VOORWAARDES WAAROP TOEGESTAAN		
SIZE OF TYRES/GROOTTE VAN BANDE		PASSENGERS WHICH MAY BE CARRIED/PASSASIERE WAT VERVOER MAG WORD		
FRONT/VOOR	REAR/AGTER	SITTING/SITTENDE	STANDING/STAANDE	TOTAL/TOTAAL
1.95 x R14CX bpr	1.95 x R14CX b	15		15
AXLE LOADS AS PER ROAD TRAFFIC ACT 29 OF 1989 ASLASSE VOLGENS PADVERKEERSWET 29 VAN 1989		PLACE OF ISSUE PLEK VAN UITREIKING: Dundee		

PARTICULARS OF OWNER/S		BESONDERHEDE VAN EIENAAR/S	
SURNAME OR FIRM NAME: Zuma Z. C.		VAN OF FIRMANAAM	
FIRST NAMES OR NAME OF PARTNERS: P.O. Box 203		VOORNAME OF NAME VAN VENNOTE	
ADDRESS: 1995-05-16		ADRES: 1995-05-15	

DATE DATUM: 1995-05-16

AUTHORISED OFFICER: J. Klayn

ISSUED TOGETHER WITH C.O.F. DISC BELOW



CERTIFICATE OF FITNESS
ISSUED BY N.P.A. DETAILS
REG. NO, MAKE, VEH. MASS,
NUMBER OF PASSENGERS
PERMITTED IN VEHICLE AND
EXPIRY DATE OF CERT. OF FITN
VALID FOR ONE YEAR FROM
DATE OF ISSUE.

APPENDIX 13
ROAD TRAFFIC ACT OF 1989, REGULATION 270

(4) No person shall wilfully or negligently issue or authorize the issue of a certificate of fitness or certificate of fitness disc which is materially incorrect.

Period of validity of certificate of fitness and disc

270. A certificate of fitness and certificate of fitness disc in respect of a motor vehicle shall, subject to the provisions of these regulations relating to the suspension or cancellation of such certificate and disc, be valid for a period of 12 months from the date of issue thereof.

[R. 270 substituted by G.N. 2694 of 15/11/1991 and G.N. 1878 of 18/10/93.]

Power of department of State to issue certificate of fitness and certificate of fitness disc

271. Notwithstanding the provisions of regulations 268 and 269; any department of State may, in respect of any motor vehicle which is owned by a department of State and under the control of the department concerned, issue a certificate of fitness and certificate of fitness disc on a form similar to the prescribed form as shown in Schedule 2.

[R. 271 substituted by G.N. 2694 of 15/11/1991.]

No person shall hold more than one certificate of fitness or certificate of fitness disc in respect of any particular motor vehicle

272. (1) No person shall hold more than one certificate of fitness or certificate of fitness disc in respect of any particular motor vehicle where the periods of validity of such certificates or discs coincide or overlap.

(2) Where the holder of an unexpired certificate of fitness in respect of a motor vehicle has applied for a new certificate of fitness, in respect of that vehicle in terms of regulation 268, he shall, upon the issue of the new certificate of fitness and certificate of fitness disc as contemplated in regulation 269, deliver such unexpired certificate and any applicable certificate of fitness disc to the issuer of the new certificate of fitness and certificate of fitness disc, and the issuer shall thereupon cancel the certificate and disc delivered to him.

[R. 272 substituted by G.N. 2694 of 15/11/1991.]

Certificate of fitness disc to be affixed to a motor vehicle conveying persons or goods for reward

273. (1) Subject to the provisions of subregulations (2) and (3), no person shall operate on a public road a motor vehicle referred to in regulation 267 (1) –

- (a) unless a certificate of fitness disc is affixed thereto in the manner referred to in subregulation (5); or
- (b) if a certificate of fitness disc –
 - (i) the period of validity of which has expired; or

APPENDIX 14
ROAD TRAFFIC ACT 1989, REGULATION 251

(21) Where in any prosecution for a contravention of subregulation (1) it is proved that any person has –

- (a) instructed any other person in the driving of a motor vehicle;
 - (b) taught any other person the rules of the road or road traffic signs;
 - (c) supervised any other person in the driving of a motor vehicle,
- it shall be presumed, until the contrary is proved, that he so instructed, or taught such other person for reward.

PART TWO: PUBLIC DRIVING PERMIT

Permit required by driver of motor vehicle conveying persons or goods for reward

251. (1) No person shall drive on a public road a –

- (a) motor vehicle conveying persons or goods for reward;
- (b) a motor vehicle drawing a motor vehicle referred to in paragraph (a); or
- (c) a breakdown vehicle,

except in accordance with the terms and conditions of a public driving permit issued to him under this part and unless he has such permit with him in such vehicle.

[Subr. (1) substituted by G.N. 2694 of 15/11/1991 and G.N. 1878 of 18/10/1993.]

(2) The provisions of subregulation (1) shall not apply –

- (a) in respect of a motor vehicle conveying persons or goods for reward and a breakdown vehicle, owned by a department of state, provincial administration or a local authority;

[Par. (a) substituted by G.N. 1954 of 17/8/1990 and G.N. 1878 of 18/10/1993.]

- (b) to any person driving, otherwise than for hire or reward, a motor vehicle normally used for the conveyance of persons or goods for reward on a public road where such vehicle has been hired out to such person without a driver;

- (c) to a traffic officer or examiner of vehicles performing his duties as contemplated in section 9 (2) or section 11 (e) of the Act; or

- (d) to a person driving a motor vehicle for the purpose of testing such motor vehicle on a public road in the performance of his duties;

- (e) to a person driving a hearse;

- (f) to a person driving an ambulance;

- (g)

[Par. (g) deleted by G.N. 1878 of 18/10/1993.]

- (h) to a person driving a motor vehicle which is used for the conveyance of school children and which is not a mini-bus or a bus.

[Pars. (e) to (h) inserted by G.N. 1954 of 17/8/1990.]

(3)

[Subr. (3) deleted by G.N. 1878 of 18/10/1993.]

APPENDIX 15
PUBLIC DRIVING PERMIT

* In addition to normal driving licence, drivers of all public motor vehicles to be in possession of a public Driving Permit. Valid for 2 years - issued by Provincial Road Traffic Inspectorate - N.P.A.

PROVINCE OF NATAL		RTI REF: C916 PVI VERW: C916		PROVINSIE NATAL	
PUBLIC DRIVING PERMIT		OPENBARE BESTUUR			
Road Traffic Act 1989 (Act No. 29 of 1989)		Padverkeerswet 1989 (Wet Nr. 29 van 1989)			
CLASS OF PERMIT: LIGHT MOTOR VEHICLE		Passengers/Passasiers 08 Goods/Goedere 08		VALID FROM:	
KLAS VAN PERMIT: LIGTE MOTOFVOERTUIG				EXPIRY DATE VERVALDATUM	
Surname: Cornellisson					
First Names: Dione Clifton					
Date of Birth: 6/9/07/05		Identity No. 6907055107080			
Driver's Licence No. 6907055107080		Code 08		Date of issue 94.01.20	
<div style="border: 1px solid black; height: 100px; width: 100%; display: flex; align-items: center; justify-content: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Left thumbprint</div> </div>		<p>This permit is hereby granted to the abovenamed person whose photograph and signature (or left thumb impression) appear hereon to drive, until the date of expiry hereof, a Public Motor Vehicle of the class indicated above.</p>			
		<p>Hierdie permit word aan bogenoemde persoon, wie se foto en handtekening (of linkerduimafdruk) hierop verskyn, om tot die vervaldatum hiervan 'n openbare motorvoertuig van die klas hierbo aangedui te bestuur.</p>			
		<p>Signature (or left thumbprint) of Holder: <i>[Signature]</i></p>			
		<p>Registrar: <i>[Signature]</i></p>			
<div style="border: 1px solid black; height: 100px; width: 100%; display: flex; align-items: center; justify-content: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">Linkerduimafdruk</div> </div>		<p>Endorsements:</p>			
<p>Receipt No. 1901749</p>		<p>Issued on 94.02.07</p>			
<p>C.P.S. CAT. NO. 150-2271-6219</p>		<p>for R 30,00</p>			
<p>150-2271-6219</p>		<p>uitgereik op 94-02-07</p>			

APPENDIX 16
MINI-BUS RANK PERMIT AND ATTACHED DISC

THIRD SCHEDULE/DERDE BYLAE

**PERMIT TO USE TAXI RANK OR STAND/
PERMIT OM HUURMOTORSTAANPLEK TE GEBRUIK**

(Under the By-Laws relating to the Allocation of Taxi Ranks)
(Kragtens die verordeninge betreffend die toekenning van huurmotorstaanplekke)

Authority is hereby granted to motor taxi ..
Magtiging word hierby verleen aan huurmotor

ND 120048

owned by
eiendom van

P. O. NZAMBA

to take up a stand at
om staanplek te betrek op

Blank 35 Osborne sheet

for the purpose of plying for hire with the exception of periods when stopping is prohibited in terms of a road traffic sign.

met die doel om beskikbaar te wees vir betalende passasiers tensy die stilhou van voertuie deur 'n padteken verbied word.

Date _____
Datum _____

This permit expires on 31-12-1996
Hierdie permit vervall op

Number and date of Motor Carrier Certificate
Nommer en datum van motortransportsertifikaat

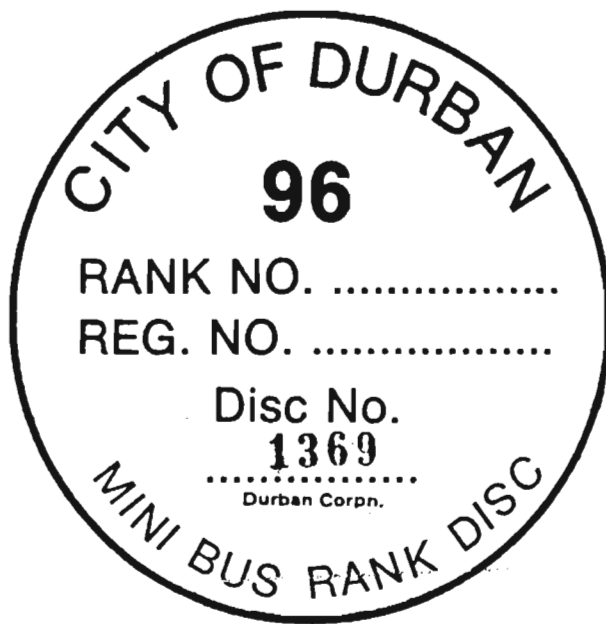
Redig

Number and date of Certificate of Fitness
Nomnber en datum van geskiktheidsertifikaat

A 445063 16.5.97

Chief Constable/Hoof van die Stadspolisie

Taxi / Huurmotor	Police Stamp and Signature / <i>Poltsiestempel en handtekening</i>



APPENDIX 17
LETTER OF REQUEST TO CHIEF CONSTABLE

Public Transport Section
Durban City Police

31 July 1996

Deputy Chief Constable (SS)
Durban City Police
Durban

Sir

TAXI RANKS TO BE ADVERTISED :

I respectively request the following ranks be advertised :-

GRADE	RANK NO.	LOCATION	VACANCIES
C	67	COMMERCIAL ROAD Loading to Merebank	5
C	100	CANBERRA ROAD Loading to to Inanda Newtown A	100
C	54	QUEEN STREET Loading to Umlazi E.F.G.	60


P GODWIN (SGT 51)

(SS)Vactaxi

LETTER TO THE CHIEF CONSTABLE, PRIOR TO
THE TAXI RANKS BEING ADVERTISED IN
THE LOCAL NEWSPAPERS.

APPENDIX 18
ADVERTISEMENT FOR RANKS

ADVERTISEMENT REGARDING
TAXI RANK VACANCIES.

NORTH CENTRAL & SOUTH CENTRAL LOCAL COUNCIL

Administrative Entity of the
City of Durban

Stand Vacancies:

TAXI RANKS

Vacant stands exist at the undermentioned taxi rank and persons interested in obtaining the use thereof are invited to apply in terms of the Taxi Rank Bylaws of the City of Durban. Official application forms may be obtained from the Public Service Section, Durban City Police Administrative Entity of the City of Durban, 16 Old Fort Place, Durban 4001, between 09:00 and 11:00 (telephone 3003222).

The closing date for applications is 1996-09-01

STAND VACANCIES:

GRADE	RANK No.	LOCATION	VACANCIES
G	67	COMMERCIAL ROAD Loading to Merebank	5
C	100	CANBERRA ROAD Loading to Inanda Newtown A	100
C	54	QUEEN STREET Loading to Umlazi E.F.G.	60

M.J. O'MEARA
ACTING CHIEF EXECUTIVE/TOWN CLERK

TOWN CLERK'S OFFICE
9th FLOOR: EMBASSY
CNR. SMITH & ALIWAL STREETS
DURBAN

1996-08-23

S.A. POST NORTH

APPENDIX 19
CHARACTERISTICS OF JITNEY-TYPE OPERATIONS
IN DEVELOPING COUNTRIES

SUMMARY OF STATUS OF COMBI TAXI TYPE OPERATIONS

	GOVERNMENT REGULATIONS ON		LENGTH OF TRIP COMPARED WITH BUS	LOAD FACTORS COMPARED WITH BUS
	ENTRY	FARE		
Abidjan	Illegal	None	-	-
Amman	On number per route	None	Short	High
Bangkok	Illegal	None	-	Normal
Belfast	None	None	Normal	High
Buenos Aires	On number	Flat rate	-	Normal
Cairo	On number	None	-	High
Caracas	On number	Zonal rate twice of bus	Short	High
Chieng Mai	None	None	Short	Very low
Hong Kong	On number	None	Normal	Normal
India	On number per route	Marginally higher than bus	Long	Normal
Istanbul	On number	Twice of bus	Long	Very high
Israel	On number	Higher than bus	Normal	-
Jakarta	On number	Flat rate twice of bus	Short	High
Kingston	On number per route	Marginally higher than bus	-	-
Kuala Lumpur	On number	Flat rate higher than bus	Very long	Very high
Lagos	None	None	Normal	-
Manila	On number	Flat rate same as bus	Short	High
Nairobi	None	Stage rate same as bus	Normal	High
Riyadh	None	Flat rate	-	-
San Diego	None	None	-	-
Surabaya	On number	Flat rate same as bus	Normal	High
Tegucigalpa	None	None	Normal	High

APPENDIX 20
NEWSPAPER ARTICLES [a]-[f] : MINI-BUS PROBLEMS

drivers blamed for overloading and dangerous driving Mini-bus carnage rackdown urged

Daily News Reporter

DRASTIC action needs to be taken on the growing problem of overloaded and unsafe black taxis which are causing death and destruction on South African roads — or chaos will soon reign.

Police, traffic authorities and the Automobile Association of South Africa today warned that the black taxi situation was becoming increasingly serious, and that the current police clampdown on mini-buses would have to be intensified to stem the problem.

They also firmly placed the blame on taxi drivers who, they said, should take responsibility for cutting down on overloading, speeding and bad, inexperienced driving.

In the past year nearly 10 000 people have died in an increasing spate of mini-bus accidents in South Africa. On Saturday 10 people were killed and five injured in a crash in KwaMashu.

The black taxi industry has mushroomed in recent years with bus services cut down, very cheap prices offered to commuters and increasing numbers of people entering the industry for employment.

"The AA drew attention to the black taxi problem and advocated stricter control about two years ago, and since then the situation has become far more serious," said Mr Norman Swart, area manager for the organisation in Natal.

Although there was adequate provision under the law to prosecute drivers, he said the recent police clampdown should urgently be intensified by employing more traffic officers to patrol roads used heavily by mini-buses.

Also, taxis should be fitted with mass data plates indicating the maximum gross weight a vehicle is allowed to carry. Mass data plates should be given maximum passenger numbers and drivers should be instructed to

"There should also be more self-policing by drivers. We know that they are pressurised by commuters to overload, but they must take responsibility for cutting down on numbers," said Mr Swart.

"If drivers were given maximum passenger limits, displayed prominently on their vehicles, they would be more easily able to turn passengers away."

Unroadworthy vehicles were also often to blame for accidents.

A police spokesman, Major Charl du Toit, said today that the police were looking into the situation — especially the problem of overloading — and traffic authorities would be stepping up their clampdown on black taxis.

"But owners must also realise that they are responsible for the safety of their passengers and other people on the roads, and should refuse to overload their vehicles or give in to pressure from passengers to speed."

Mr Les Farrant, Chief of Provincial Inspection Services, said he had been aware of the problem of overloading of mini-buses for some time.

He said his department would be looking into the problems today and instructions would be issued for intensified law enforcement.

Strong action against those responsible for overloading the mini-buses was necessary, he said.

Comment: Page 5

(b)

Minibus safety

THE appalling death toll in minibus accidents — 9 343 in one year — makes police control unavoidable. The crack-down which Natal traffic authorities are planning should have the effect of bringing some order and discipline to an industry which has mushroomed to meet legitimate transport needs but which nevertheless needs safety controls. As many as one fifth of

all drivers have been found to be unlicensed. Vehicles are often grossly overloaded, unroadworthy and travel too fast. But it needs to be stressed that the authorities should not use the abuses of the system to straitjacket this sort of self-help entrepreneurship. The small business ethic should be encouraged at every opportunity.

DAILY NEWS: 10-07-1987

(c)

NATAL MERCURY: 14-07-1987

Get them off the road

ON THE FACE of it, the fact that three dead and 23 injured were added to the country's road accident statistics last weekend would appear unworthy of comment. After all, we kill each other on the road at a rate of nearly 10 000 a year, so another three lives don't mean much, do they?

But this particular accident — a minibus taxi going out of control and overturning — points

up an increasing road risk. There were 26 people crammed into that taxi. That means at least 10 too many.

'Maxi-taxis' are now an accepted form of transport. What can never be accepted is the criminal recklessness of unscrupulous operators who deliberately overload their vehicles. They must be driven off the road — for good.

(d)

Minibus alarm

THERE appears to be a sense of defeatism in official reaction to the mounting toll of minibus accidents. The latest at Kwa-Mashu at the weekend claimed 10 more lives, bringing the total number of deaths in these accidents in one year to close to 10 000. Mr John Bannerman, vice-chairman of the Port Natal and South Coast Traffic Co-ordinating Committee, is quoted as saying: "Owing to the nature of the vehicles and the excessive overloading that is taking place I do not foresee a marked reduction in the number of collisions or fatality rate

in the near future".

On the contrary, it would seem to the ordinary road-user, who has been stopped on occasion for random safety checks or has been ticketed for speeding, that there is much that could be done immediately and which should get immediate results. The key is visible and consistent policing on the road; fines should have a salutary effect on the owners of unroad-worthy vehicles. Drivers also need to be properly trained, tested and licensed. All road-users, not only the passengers, are at risk.

DAILY NEWS : 20-7-87

(e)

'Chariots of fire'

THE huge increase in the carnage being wrought on South African roads by mini-buses — described by one black magazine as "chariots of fire" — has been recorded in headlines, horrific pictures, editorials and letters to the editor over the past few months in the black Press.

The fears of editors were confirmed this week by the Central Statistics Service when it revealed that in the past eight months there had been a staggering 25 775 minibus accidents — or one every 12 minutes.

Hit magazine warned this month that "the tragedy is just beginning." It quoted National Road Safety Council statistics that less than one in 10 of the accidents was caused by the condition of the vehicles or poor road and weather conditions.

More than 90 percent of all accidents were caused by human error. In general, more than 65 percent of accidents were caused by lack of attention, reckless or negligent driving, or driving too fast. The single most important factor was motorists being "inconsiderate and inattentive."

Most accidents happened when motorists did not reduce speed when approaching a danger area or were too slow in spotting a vehicle that had suddenly stopped.

Letters this week, particularly in the Sowetan, confirmed the opinion that "taxi drivers don't care" and "bad drivers must be controlled" but, in this month's Bona, the South African Black Taxi Association (Saba) responds to complaints about "unfortunate and unacceptable behaviour of some taxi drivers."

David
Wightman

THE BLACK
PRESS

There are 40 000 registered taxis and the association is issuing distinctive logos to their members which must be displayed at all times. They have introduced a new set of rules and a code of conduct based on behind-the-wheel performance, a "positive relationship" with passengers, and safety. This, the association believes, will materially cut down accidents and recklessness.

This may be so, but as black journalists are continually pointing out, there are another estimated 45 000 pirate taxis which are not even registered as such. What can be done to control them?

□□□□

The Sowetan was pleased that the leaders of the United Democratic Front and Inkatha had been able to get together in an effort to bring the Pietermaritzburg violence to a halt. It said, pointedly, that this kind of meeting could serve as an example to other organisations which were in disagreement.

"It is very easy to use violence as a negotiating weapon, but the trouble is that it soon gets out of hand and becomes almost impossible to control or stop."

(The Sowetan made these comments before the police picked up various UDF leaders and the talks came to a standstill.)

ARGUS : 23-11-1987



All aboard the Time Bomb

DEADLY time bomb is ticking on South Africa's roads.

They are already bent to more than 300 minibus collisions every month and all the signs point to a sharp rise in the carnage.

Putting flesh on this shock statistic disclosed by the National Road Safety Council (NRSC) this week is a recent run of horror minibus crashes.

Most of these accidents are caused by taxis breaking just about every rule in the book.

And motor industry experts say the registered black taxi population, which stands at about 10 000, could double by the end of the decade.

In Johannesburg alone, the casualty rate of minibus accidents has jelled up by another 25 percent in the year to June, with 10 people killed and 500 maimed or injured, according to latest traffic department figures.

On the other hand, bus accidents have dropped by a staggering 65 percent.

But, in one province at least, traffic police have declared war on



Traffic Officer Kevin Moss checks a taxi driver's license.

reckless taxi drivers to keep death off the road.

On the ill Pretoria-Pietersburg motorway, a bill has been mounted against overloaded and speeding minibuses to stop the slaughter after

four horror smashes last month in which 39 people were killed. So far the plan has worked.

Pietersburg traffic police have stepped up fines from R150 to R300 for every passenger over the permitted limit. Patrols have also been stepped up on known trouble spots along the motorway.

"We haven't had a minibus accident on the Pretoria-Pietersburg road since August 19," said the chief provincial traffic officer Mr Piet Nel.

"Maybe other provinces should think of following our example."

Now seems to be doing so. Traffic departments appear to be holding fire until the Government's proposed National Taxi Council (NTC) to control the safety standards of taxis comes into force — possibly during the next Parliamentary session.

An afternoon patrol with traffic officer Kevin Moss in an unmarked car on the Soweto highway threw into sharp focus the antics of the taxi drivers on their daily shuttle from township to city.

Taxis blatantly overlook in the face of oncoming traffic, changed lanes without signalling, stopped in heavy traffic to pick up passengers and double-parked.

"Their standard of driving is lousy," said Mr Moss, signalling a heavily overloaded minibus to pull over.

Pirates

On the other side of the road, a long line of minibuses sped towards Johannesburg to pick up more passengers. "It's just a race to get back to town to load up again," he said.

Minutes later, a minibus veered into the wrong lane to overtake several bunched-up vehicles. The gap closed and the minibus loomed dangerously close to our car before pulling in.

"There's just too much traffic around to follow him," said the 20-year-old former Rhodesian policeman.

Virtually every minibus we saw on the highway was overloaded. Seats designed for three people

held four — often five passengers. Overloading makes minibuses potential death traps as the vehicle's handling is greatly reduced.

Observers believe overloading is set to worsen with the trend towards 18-seater minibuses ousting the traditional 10-seater.

"The problem," explained Mr Moss, "is particularly acute with the so-called pirate taxis, most of which are unroadworthy. At least registered taxis have to renew their certificate of fitness every six months."

The chilling fact is that there are more pirate taxis — about 15 000 — on our roads according to the Southern Africa Black Taxi Association (SABTA).

Nearly half of the 11 000 prosecutions against black taxi-owners in Johannesburg over the past 10 months were for overloading.

In several municipalities, drivers are fined R50 for every overloaded passenger. But the Johannesburg Traffic Department, for one, is openly sceptical that stiffer fines would reap results on a par with Pietersburg.

Said the city's chief traffic officer, Alastair Posthill: "Our hand will be strengthened once the NTC's quality control register comes into effect."

SABTA, anxious to clean up the industry's dirty image, is calling on the Government to legalise the pirates and make them join taxi associations.

clations.

"Then we can really get down to improving driver skills and safety standards," said SABTA vice-president Mr Godfrey Mlatleng.

SABTA has also launched a campaign urging commuters to demand a better taxi service. "You pay the fare. Take the taxi that cares," runs the slogan.

Latest NRSC figures show that nationwide minibus collisions in the six months to June jumped to 10 711 from 19 371 in the same period last year.

Eight of these accidents have been blamed by the Department of Transport "and the pirates were responsible for all eight crashes that

shows just how dangerous the

added Mr Posthill. "We have to switch to a more professional approach in the way we handle the law — and not just black taxis but all drivers who break the law."

But time is of the essence. SABTA and the Government, in the taxi boom, in order to curb the total chaos on the roads.

The number of registered taxis has more than doubled, 11 000, in the six years to 1987 and estimates put this at 20 000 and, according to some

taxes, 150 000, by the end of the decade.

APPENDIX 21
NEWSPAPER ARTICLES: RECENT MINI-BUS PROBLEMS

By SANTOSH BEHARIE

URBAN taxi bosses, with R9 000 price tags hanging over their heads, have hired army of bodyguards to protect them in Mafia-style hitmen.

Police investigating taxi-related murders have price tags of up to R100 000 on their heads.

In the past three months a reign of security has been thrown around the provincial minister of Serious Violent Crime, Senior Lieutenant Johan Rooyen, after police intelligence uncovered plans to have him killed.

On Monday we received more information concerning this threat to my life.

Now I am protected 24 hours a day by six policemen. On the previous occasion I had members from the Public Order Policing Unit provide me with protection for more than two weeks after receiving a similar call.

They accompanied me everywhere I went, including church. I treat these threats very seriously as the taxi business in this province is multi-million and operation. The top men in the business don't mind paying to have someone killed," he said. Rooyen said all detectives from the taxi violence unit investigating the shoot-outs

which have centred around

Osborne Street taxi rank, have up to R100 000 "execution price tags" hanging over their heads.

At the Osborne Street rank 15 heavily armed bodyguards from a private security company patrol to protect specific taxi operators.

Bodyguard boss, Gary Taylor, said he was asked to provide security for operators and passengers as they felt "the police alone can't cope with the violence in the area".

"Since my guys have been here we have had no shootings or killings," said Taylor.

Rooyen said a detective is forced to take leave as calls against him "were flying out of control".

Hitmen get paid R3 000 to kill a taxi driver, R9 000 to kill a taxi owner, while the head of a taxi organisation chairman fetches R15 000," Rooyen said.

Taylor said he and his security guards had also received several death threats since they arrived at Osborne Street.

Last Friday my car was shot at. My driver, who was alone in the car, escaped unhurt.

"I also get death threats regularly on my phone. Once I got a message on a pager saying, 'Whitice live the area or die'. But we are not afraid, we will stay here as long as our services are required," Taylor said.

He said during the festive season he would double his guards in the area as he expected taxi violence to increase.

Taxi owners and drivers, passengers and informal traders welcomed the bodyguards.

Rooyen said his unit has a high success rate. He said the problem centred around long distance operators affiliated to two rival taxi groups.

He said a major problem he faced in solving taxi violence was that many operators believed that the law themselves were involved.

Rooyen said several policemen were being investigated for allegedly "doubling up" as bodyguards for taxi operators.

Rooyen said once a hitman was hired, those who hired him took him into a hotel and provided him with weapons, a vehicle and a cellphone.

"We have also learned that there are preferred men. In one case a hitman was hired by two rival groups to kill the opposition."

"In most cases there is personal contact between the hitmen and



ARMED AND SERIOUS... Bodyguard boss, Gary Taylor, front, with the men who help to keep the peace at Durban's Osborne Street taxi rank. Picture: RICHARD SHOREY

WHAT HITMEN GET PAID:

- R3 000 to kill a taxi driver
- R9 000 to kill a taxi owner
- R15 000 to kill taxi head
- Up to R100 000 for a cop

those who hired him. We have arrested suspected hitmen from both rival taxi groups," Rooyen said.

He said the Osborne Street rank was still very tense and police also patrolled the area regularly.

He added that police were expecting more trouble during the festive season as taxi activities in-

creased with more people heading into the city.

Since the taxi-violence unit was established in KwaZulu Natal in February:

- 32 people have been killed and as many injured in taxi-related incidents.

- 106 people, including suspected hitmen were arrested.

- 21 vehicles have been

recovered, which had either been hired, stolen or hijacked.

- 110 firearms, including 22 AK-47s, were seized.

The unit, which consists of 10 detectives from other specialised teams within the SAPS, is currently investigating 60 cases.

Osborne Street taxi owners hire security to tackle assassins

ON GUARD



Six injured in AK-47 attack

VEVEN BISSETTY
CRIME REPORTER

AT LEAST 20 gunshots were fired at a busy taxi rank, injuring six people and shattering the windows of several businesses and vehicles in Umgeni Road yesterday.

The attack - one of many in the area during this year - was carried out by men brandishing AK-47 rifles and 9mm pistols and happened opposite the Natal Newspapers building in Greyville.

People fled for cover when a volley of shots rang out.

Witnesses said the occupants of a green/blue car opened fire before speeding off.

Two people were shot and injured inside the Kentucky Fried Chicken outlet when bullets shattered the front plate-glass window.

One was the supervisor, Mr Malfred Mhlongo, who was struck in the head while he was serving a customer.

Investigating officer Willie Olivier said the motive for the shooting was unclear.

PARAMEDICS attend to the injured, all victims of a drive-by shooting in Umgeni Road, Durban, yesterday. Six people were wounded in the attack, which was carried out by men brandishing AK-47 rifles and 9mm pistols.

PICTURE: TERRY HAYWOOD

Shot fired at taxi boss widow outside school

[NATAL MERCURY: 15/11/96]

VUYO MNTUYEDWA

A LONE gunman attacked the widow of late taxi boss Ben Ntuli as she was dropping off her eight-year-old daughter at La Lucia Junior Primary School yesterday morning.

According to police, Mrs Pearl Ntuli saw a man wielding a 9mm pistol coming towards her car and then fired a single shot at her, but missed as she took cover.

The bullet grazed the passenger seat's head rest and smashed the rear-left window.

The daughter, Mbali, and five-year-old brother Mlamuli, he said, were sitting on the back seat and escaped serious injury.

Mrs Magawaza and her daughter sustained minor injuries from glass shrapnel.

The suspect fled on foot.

Detectives investigating the case said last night the case was not related to taxi violence.

"Big Ben" Ntuli - reportedly worth R60 million - died in hospital earlier this year from malaria after months of hiding from both police and business rivals whom he claimed had put a contract out on him.

Sgt Louis van Collier said he believed yesterday's incident was related to a family dispute over his will and he had advised Mrs Ntuli to hire protectors.

APPENDIX 22
ROAD TRAFFIC REGULATION, SCHEDULE 3 OF ACT 29 OF 1989

ROAD TRAFFIC REGULATIONS/PADVERKEERSREGULASIES

Motor car reservation sign:

R308

Motorkar reserverings-teken:

COLOURS:

Border & symbols: White retro-reflective
or semi-matt
Background: Blue retro-reflective
or semi-matt



KLEURE:

Rand & simbole: Wit truikaatsend of half dof
Agtergrond: Blou truikaatsend of half dof

Temporary sign number TR308

Indicates to the driver of a vehicle that the public road or a portion of the public road is reserved for motor cars only.

Tydelike tekennummer TR308

Dui vir die bestuurder van 'n voertuig aan dat die openbare pad of 'n gedeelte van die openbare pad slegs vir motorkarre gereserveer is.

Taxi reservation sign:

R309

Taxi reserverings-teken:

COLOURS:

Border & symbols: White retro-reflective
or semi-matt
Background: Blue retro-reflective
or semi-matt



KLEURE:

Rand & simbole: Wit truikaatsend of half dof
Agtergrond: Blou truikaatsend of half dof

Temporary sign number TR309

Indicates to the driver of a vehicle that the public road or a portion of the public road is reserved for taxis only.

Tydelike tekennummer TR309

Dui vir die bestuurder van 'n voertuig aan dat die openbare pad of 'n gedeelte van die openbare pad slegs vir taxi's gereserveer is.

Mini-bus reservation sign:

R310

Minibus reserverings-teken:

COLOURS:

Border & symbols: White retro-reflective
or semi-matt
Background: Blue retro-reflective
or semi-matt



KLEURE:

Rand & simbole: Wit truikaatsend of half dof
Agtergrond: Blou truikaatsend of half dof

Temporary sign number TR310

Indicates to the driver of a vehicle that the public road or a portion of the public road is reserved for mini-buses only.

Tydelike tekennummer TR310

Dui vir die bestuurder van 'n voertuig aan dat die openbare pad of 'n gedeelte van die openbare pad slegs vir minibusse gereserveer is.

Midl-bus reservation sign:

R311

Midibus reserverings-teken:

COLOURS:

Border & symbols: White retro-reflective
or semi-matt
Background: Blue retro-reflective
or semi-matt



KLEURE:

Rand & simbole: Wit truikaatsend of half dof
Agtergrond: Blou truikaatsend of half dof

Temporary sign number TR311

Indicates to the driver of a vehicle that the public road or portion of the public road is reserved for midl-buses only.

Tydelike tekennummer TR311

Dui vir die bestuurder van 'n voertuig aan dat die openbare pad of 'n gedeelte van die openbare pad slegs vir midibusse gereserveer is.

APPENDIX 23
OWNER QUESTIONNAIRE

QUESTIONNAIRE ONE: MINIBUS OWNER

Please make a tick next to the appropriate blocks.

1. DEMOGRAPHIC INFORMATION:

Name:

Address:

.....

Age:

Sex: male: female

Race:

Level of Education:

no school std

under std 6

std 6

std 8

std 10

post matric

Occupation:

2. STATUS OF VEHICLE:

2.1. State which of the following permits or authorisations do you possess and state the cost of each.

PERMITS	COST
* public carrier transport permit	
* certificate of fitness	
* taxi rank permit	
* passenger transport undertaking licence	
* other : -	
-	
-	

2.2 What licence/s does your vehicle hold and state the cost/s.

LICENCE/S	COST
* certificate of fitness	

- * public transport carrier disc
- * taxi rank disc
- * vehicle registration disc
- * other : -
 -
 -

2.3. How did you obtain your permit/s and /or licence/s?

- * through a minibus association
- * by applying directly yourself
- * by applying through a consultancy
- * other

2.4. What are some the problems associated with acquiring the necessary legal documents, in order to legalise your minibus operation?

- * long delays in acquiring permits
- * permits issued to people who do not own vehicles
- * difficulty in acquiring more than one permit
- * criteria to grant permits are too stringent
- * criteria to grant permits are too lenient
- * permits issued too freely
- * too few permits are issued
- * authorities are not objective when granting permits
- * other

2.5. What measures do you think need to be taken in order to overcome these problems of acquiring legal documents to operate minibuses?

- *
- *
- *
- *

3. OWNERSHIP OF VEHICLE:

3.1. How long have you been a minibus owner?

- * less than 6 MTh
- * 3-4 years

mb make/model year no.of seats no. perm. max. no. yes no

mb1

mb2

mb3

4.2. Are the following aspects of your vehicle in a roadworthy condition?

ASPECTS	YES	NO	ASPECTS	YES	NO
(a) tyres			(e) steering		
(b) brakes			(f) safety belts		
(c) lights			(g) exhaust emissions		
(d) hooter			(h) other : -		
			-		
			-		

4.3. Have any of your vehicles been involved in any accidents during the past 12 months?

* yes

* no

4.4. If yes, supply the following details:

- How many of your vehicles have been involved in accidents?
- What is the total number of accidents that has occurred over the last past 12 months?
- Describe the seriousness of each accident.
- How much did it cost to repair the damage for each vehicle?
- If the operator was at fault, what actions have been taken against him?

	(a)	(b)		(c)		(d)	(e)
mb	no. of veh.	total no.	fatal	serious	minor	damage	cost action

mb1

mb2

mb3

5. OPERATING COSTS:

5.

5.1. How much does it cost to operate each minibus per month?

petrol cost	maintenance/ service	wages	insurance	other costs
-------------	-------------------------	-------	-----------	-------------

mb1

mb2

mb3

5.2. What is your approximate total income, expenditure and net income?

- * gross income
- * total expenditure
- * net income

5.3. Do you keep full and complete records on passengers and/or trips?

- * yes
- * no

5.4. Have you registered as an income tax payer for this business operation ?

- * yes
- * no

5.5. If your vehicle becomes too old & unfit for public transportation:

- (a) Do you intend replacing the vehicle?
- (b) Will you purchase a brand new or used vehicle?
- (c) Will you be able to afford the cost of replacing the vehicle?
- (d) How do you intend paying for the replacement?

(a)	(b)	(c)	(d)						
yes	no	new	used	yes	no	cash	hp	loan	other

mb1

mb2

mb3

5.6. With regards to subsidy:

- (a) Do you think minibus operations should be government

subsidised?

* yes

* no

(b) If government subsidies are provided to owners in the near future, it may only be granted to those registered with the newly appointed governmental provisional offices.

(i) Are you a registered member of this office?

* yes

* no

(ii) If no, do you intend to register in the near future?

* yes

* no

(iii) If no, explain why?

(iv) The granting of subsidies may have certain governmental conditions attached to them, will you be prepared to comply with such operating requirements?

* yes

* no

6. EMPLOYER/EMPLOYEE ASPECTS:

6.1. Are your employees/operators registered in terms of the basic conditions of the Employment Act?

* yes

* no

6.2. As an employer do you make any of the following contributions to benefit your operators?

BENEFITS

YES NO

- * pension fund
- * medical aid
- * unemployment ins. fund
- * accident fund
- * other : -
-
-

6.3. What type of employment agreement do you have with your operator?

TYPE OF CONTRACT

- * formal
- * loose [verbal]
- * no contract
- * other : -
-
-

6.4. Whom do you employ as operators for your minibus/s?

- * employ a member of the family
- * by referral, recommended by friend
- * advertise the job
- * other : -
-
-

6.5. Which of the following criteria do you employ to hire an operator?

CRITERIA	YES	NO
* check possession of legal/valid driver's licence.		
* investigate for any criminal convictions.		
* conduct a medical check-up.		
* test the operator's driving skills.		
* conduct a topographical test.		
* test operator's mechanical knowledge of vehicle.		
* interview operator to determine level of education, communicating skills, temperament.		

8.

- * all the above
- * none of the above
- * other : -

-
-

6.6. (a) Do you pay your operator on a weekly or monthly basis?

- * weekly
- * monthly

(b) Does the operator

- * receive a fixed salary
- * pays owner fixed amount
- * gets a share of profits only
- * fixed salary plus % of profits
- * other : -

-

6.7. (a) Have you or your operator taken part in any training courses?
If yes, state the course/s attended.

* yes

* no

(b) If no, explain why not?

7. INFRASTRUCTURE:

7.1. Do your minibuses make use of the minibus ranks?

- * yes
- * no

7.2. Do you need a special rank permit to use the rank?

- * yes
- * no

7.3. If yes,

(a) Who grants the permission to use the rank?

- * CED
- * traffic department
- * minibuss association
- * other : -
-

(b) Who issues the rank permit?

- * CED
- * traffic department
- * minibuss association
- * other : -
-
-

(c) Do you have to pay to use the rank?

- * yes
- * no

(d) If yes, to whom do you make this payment to?

- * minibuss association
- * traffic department
- * CED
- * other : -
-
-

(e) How much is the rank fee?

*

(f) Do you think the rank fee is reasonable?

- * yes
- * no

(g) If no, explain why?

*

7.4. Who controls the rank?

- * minibus association
- * city police
- * L.R.T.B.
- * operators
- * others : -

-

7.5. How many minibuses can the rank accommodate?

- * 2-4
- * 5-7
- * 8-10
- * other : -

-

7.6. (a) Do you feel that the rank size is adequate to allow proper functioning and operations of minibuses?

- * yes
- * no

(b) If no, state some of the problems associated with inadequate rank size.

- *
- *
- *

(c) How the problems associated with rank size be solved?

- *
- *
- *

7.7. (a) Are you satisfied with the location of the rank?

- * yes

* no

(b) If no, explain the location is unsuitable?

*
*
*

(c) In your opinion, where do you feel the rank could be more suitably located?

*
*

7.8. What facilities do you feel are required at the rank to enable the the minibus service to operate more efficiently?

* more space
* washing area
* servicing / minor repair area
* proper lanes for minibus
* other : -
-
-

7.9. What facilities do you feel are required at the ranks to enable the operators to function more efficiently, thereby improving the quality of the service provided?

* rest rooms
* offices at ranks
* toilet and cloakroom facilities
* telephones
* convenience stores
* emergency medical aid facility
* other : -
-
-

7.10. What facilities are required at the rank to improve the basic needs of the passengers?

- * shelters
- * toilets
- * telephones
- * bins
- * seating facilities
- * clear visible signs
- * good lighting
- * other : -
-
-

7.11. In your opinion, who do you feel should take the responsibility for the provision and maintenance of such amenities & facilities?

- * operators
- * minibus association
- * traffic department
- * CED
- * L.R.T.B.
- * other : -
-
-

8. AFFILIATIONS TO ASSOCIATIONS:

8.1. Are you affiliated to any of the following associations?

- * minibus route committee
- * sabta
- * minibus district committee
- * other : -
-
-

8.2. Is your association represented on a :

ASSOC LOCAL REGIONAL PROVIN NATIONAL

a1
a2
a3

8.3. If you belong to an association/s, state the reasons for joining .

- * forced.
- * voluntary.
- * benefiting to the owners.
- * better control exercised over minibus operations.
- * more power to confront and resolve conflicts.
- * enforce disciplinary measures more effectively.
- * other : -
-
-

8.4. What is the amount of fee paid to join the association/s?

ASSOCIATION/S	FEE
---------------	-----

a1

a2

a3

8.5. If, you belong to a local route committee, state the basic objective of the associations.

- *
- *
- *
- *
- *

8.6. (a) Are operators allowed to become members of the route committee?

- * yes
- * no

(b) If no, explain why not?

- *
- *

8.7. (a) What are some of the issues that have been addressed by the local route committee?

- *
- *
- *
- *

(b) How effective was the committee in resolving these issues?

- *
- *
- *

(c) Elaborate on the nature of the issue/s and solution.

- *
- *
- *

8.8. (a) Does there exist any conflict between members of the route committee?

- * yes
- * no

(b) If yes, explain the reason for conflict and measures taken to stabilise the situation.

- *
- *
- *

8.9. In your opinion, what changes do you think need to be introduced to facilitate better functioning of your local route committee, thereby achieving it's overall goals?

- * better management skills.
- * better communication skills.
- * need for loyalty to committee.
- * improved conflict management skills.
- * weekly/monthly meetings with operator's to discuss problems and ways to overcome them amicably.
- * more stringent codes of conduct for owners and operators.

- * more clearly defined committee objectives.
- * other : -
 -
 -

9. **PROBLEMS AND SOLUTIONS:**

9.1. What are some of the problems you experience with:

(a) Other Owners:

- * use of illegal minibuses on route.
- * unfair competition.
- * poaching of passengers.
- * allowing other route operators to serve your specific route.
- * resorting to violence.
- * damaging vehicle.
- * other: -
 -
 -

(b) Operators:

- * pilfering of takings/profits
- * neglect of vehicle
- * damage to vehicle
- * do not follow routes.
- * drunken driving.
- * other: -
 -
 -

(c) Others:

- *
- *
- *
- *

9.2. How can these problems be solved?

(a) Other Owners:

- * strict actions against owners guilty of illegally operating minibuses.
- * cancellation of permits.
- * suspension of operation for a certain period of time.
- * pay a penalty to the committee.
- * other: -
 -
 -

(b) Operators:

- * suspension from work.
- * termination of job.
- * warning.
- * introduce compulsory training courses.
- * strict disciplinary actions.
- * penalty payable to owner and/or committee.
- * other: -
 -
 -

(c) Other:

- *
- *
- *

APPENDIX 24
OPERATOR QUESTIONNAIRE

QUESTIONNAIRE: MINIBUS OPERATOR

PLEASE SUPPLY THE FOLLOWING INFORMATION, TICKING THE APPROPRIATE BLOCKS WHERE APPLICABLE.

1. DEMOGRAPHIC INFORMATION:

1.1. Name:

1.2. Address:

1.3. Age:

- * 16-24 years
- * 25-49 years
- * over 50

1.4. Sex:

- * Male
- * Female

1.5. Race:

- * White
- * Black
- * Indian
- * Coloured

1.6. Level of Education:

- | | |
|------------------|--------------------------------|
| * std 3 or lower | * std 4-5 |
| * std 6-7 | * std 8-9 |
| * std 10 | * post matric [diploma/degree] |

2. DRIVER ASPECT:

2.1. Indicate which of the following permits/licences are in possession or are pending in order to legalise your minibus operation.

PERMITS

POSSESSION

PENDING

- * pub. carrier trans. permit
- * cert. of fitness
- * pub. driver's permit
- * taxi rank permit
- * other: -

-
-

2.2. How long have you been driving a minibus?

- * less than 6 months
- * 6 mths- 1 year
- * 1-2 years
- * 2-4 years
- * 4-6 years
- * over 6 years

2.3. State the duration you have been employed by your present employer?

- * less than 1 year
- * 2-3 years
- * 4-5 years
- * 1-2 years
- * 3-4 years
- * over 5 years

2.4. State the criteria or requirements that were necessary, in order to obtain this job.

- * legal and valid driver's licence.
- * numerical and literacy skills.
- * proper book-keeping skills.
- * good communication skills.
- * emergency medical skills.
- * mechanical knowledge of vehicles tested.
- * medical fitness test.
- * no previous criminal convictions.
- * all the above.
- * none of the above.

2.5. (a) Have you taken part in any training courses for minibus operators?

- * yes
- * no

(b) If yes, state the course attended?

- * safety course.
- * business courses.
- * emergency medical skills.
- * other: -

-
-

2.6. (a) Have you had any accidents in the past 12 months?

- * yes
- * no

(b) If yes, fill in the information in the table below:

no. of accs.	nature of accidents				cost to repair
	fatal	serious	minor	damage only	

(c) Who pays for the cost of repairing the vehicle?

- * operator only
- * owner only
- * operator and owner share the costs
- * other: -
-
-

2.7. (a) Over the last 12 months how often have you committed any of the following traffic violations?

- * speeding
- * overloading
- * ignoring red robot
- * causing public disturbance, playing loud music
- * driving an unfit vehicle
- * other : -
-
-

(b) Why did you commit these violations?

- * pressure from passengers.
- * pressure from owner.
- * passengers want to listen to loud music.
- * operator likes show other operators how powerful music system is.
- * other: -

-
-

(c) Who pays these fines?

- * operator
- * owner
- * operator & owner
- * other: -
-
-

(d) What measures have you taken to ensure that these offences are not repeated?

- * drive more cautiously.
- * play music within limits permitted by law.
- * observe speed limits.
- * check vehicle regularly.
- * other: -
-
-

2.8. How do you respond to passengers complaints?

- * ignore complaints.
- * listen patiently, and respond positively.
- * become annoyed, angry, and irritable.
- * shout at passengers.
- * force them off the minibus.
- * follow- up the complaint to satisfy the passengers needs and requests.
- * other: -
-
-

3. VEHICLE ASPECT:

3.1. What type of vehicle do you drive?

YEAR	MODEL/MAKE	NO. OF SEATS
------	------------	--------------

3.2. What is the maximum number of passengers

- (a) you are legally allowed to carry?
- (b) your minibus can accommodate over and above the legal capacity?
- (c) you will carry in addition to the legal number permitted?

MAX. NO. LEGAL	MAX. CAPACITY	LEGAL [+]
----------------	---------------	-----------

3.3. (a) How often do you examine the roadworthiness of your vehicle?

- * once every week.
- * once every fortnight.
- * once every month.
- * once every 2 months.
- * once every 6 months
- * other: -

-

(b) What aspects of the vehicle do you check in order to ensure that the vehicle is roadworthy to transport passengers?

- | | | |
|----------------|---------------------|-----------------------|
| * brakes | * exhaust emissions | * oil & other filters |
| * steering | * doors | * wipers |
| * hooter | * mirrors | * lights |
| * safety belts | * tyres | * brake lights |
| * sound system | * | * |

3.4.(a) How often does the vehicle undergo minor & major services?

(b) State the cost of these respective services.

- | | | | | |
|------------------|--------|---------|-----------|------|
| | weekly | monthly | 6-monthly | cost |
| * minor services | | | | |
| * major services | | | | |

(c) Who is responsible for the payment of such services?

- * operator.
- * owner.

* operator & owner.

3.5.(a) Do passengers experience problems of identifying the minibuses on the road?

* yes

* no

(b) If yes, suggest appropriate changes that should be introduced to make the minibus more easily noticeable?

* colour code minibus for different routes

* display route boards on minibus

* other: -

-

3.6.(a) Does your vehicle have tinted glasses?

* yes

* no

(b) Explain the reason to tint the glasses.

* to provide comfort to passengers.

* to compare the stylishness of vehicle with other vehicles.

* to attract more passengers.

* difficult to count the number of passengers.

* other: -

-

-

4. **LABOUR CONDITIONS:**

4.1. Are you a registered employee in terms of the basic conditions of the Employment Act?

* yes

* no

4.2. What type of employment agreement do you have with your employee?

7.

- * formal
- * loose [verbal]
- * no contract

4.3. As an employed operator do you qualify for any of the following benefits?

BENEFITS	YES	NO	BENEFITS	YES	NO
* pension fund			* medical aid		
* unemp. ins. fund			* accident fund		
* holiday pay			* sick leave		
* overtime			* bonus		
* all the above			* none of the above		

4.4. Is your salary paid on a weekly or monthly basis?

- * weekly
- * monthly

4.5. With regards to salary, do you:

- * receive a fixed salary.
- * receive a fixed salary + % of the profits.
- * receive only a % of the profits.
- * pay the owner a fixed amount.
- * other: -

4.6. State your approximate income per month.

- | | |
|-------------------|---------------|
| * less than R1000 | * R1000-R2000 |
| * R2000-R3000 | * over R3000 |

4.7. Do you feel you are:

- * overpaid
- * underpaid
- * paid fairly

4.8. If, underpaid, what salary would be reasonably fair?

*

4.9. Do you work

- * weekdays only
- * weekdays & weekends

4.10. What is the total number of hours worked per day?

- * no. of hours
- * overtime
- * total hours

4.11. Comment on your physical and mental condition through the day.

CONDITION	FIRST TRIP TO MIDDAY	MIDDAY TO LAST TRIP
-----------	-------------------------	------------------------

- * physically fit
- * tired exhausted
- * lack concentration
- * mentally alert
- * suffer with headaches
- * vision becomes blurred
- * eyes ache
- * suffer with hearing impairment
- * no ailments/symptoms
- * other: -
-
-

4.12. What factors do you feel contribute to physical and mental exhaustion?

- * pressure from passengers [speeding;overloading].
- * pressure from owner's to meet/increase takings.
- * competition from other operators.
- * harassment by traffic police.
- * physical restriction: no mobility, lack of spaciousness & comfort.
- * too short resting period.
- * lack of courtesy & inconsideration from motorists & pedestrians.
- * too long working hours.

- * playing of loud music all day.
- * smoking by passengers or operator.
- * other: -
 -
 -

4.13.(a) Do you belong to any operator/driver association or worker's union?

- * yes
- * no

(b) If no, give a reason.

- * employers discourage joining unions/associations.
- * no association in existence.
- * too expensive to join.
- * other: -
 -
 -

4.14. How would you rate your level of satisfaction with the present working conditions?

- * very satisfied
- * satisfied
- * unsatisfied
- * very unsatisfied

5. OPERATING CHARACTERISTICS:

5.1. State the time and place of commencement of your first trip of the day.

- * time
- * place of commencement

5.2. State the time and place of completion of your last trip for the day.

- * time
- * place of completion

5.3. Is the route used :

- * fixed
- * flexible

5.4. How many kilometres from start to finish?

*

5.5. How long does it take to reach your destination [one-way]:

- * during off-peak times
- * during peak times

5.6.(a) What are your peak operating times?

(b) How many trips do you make during those periods?

(c) What is the average number of passengers per trip during those periods?

	TIME		no. of	no. of
	from	to	trips	passengers
weekdays-mornings				
-midday				
-afternoon				
Saturday-morning				
-midday				
-afternoon				
sunday-morning				
-midday				
-afternoon				

5.7. What is the total number of trips for a:

no. of trips

- * weekday
- * weekends

5.8. What is the total number of passengers transported on a :

no. of passengers

- * weekday
- * weekends

5.9. How much is the cost of the fare one-way?

*

5.10. Who determines and controls the structuring of the fares?

- * operators decide jointly.
- * owners determine the fare
- * jointly decided by operators and owners.
- * the minibus association.
- * jointly by owners, operators, passengers.
- * based on overall operating costs.
- * compare with other modes of transport operating similar route.

5.11.(a) Do you keep any formal records on no. of trips, passengers & finance?

- * yes
- * no

(b) If yes, are the entries completed on a:

- * daily basis
- * weekly basis
- * monthly basis

(c) If no records kept, explain why/

- * no book-keeping knowledge.
- * owner's do not require such records.
- * no time
- * serves no purpose to the business operation.
- * other: -

6. INFRASTRUCTURE:

6.1. Do you feel the size of the rank is adequate to accommodate the total number of minibus required to service your route?

- * yes
- * no

6.2. If no, state some of the problems associated with rank size.

- * have to share the ranks with other route operators, leading to conflicts.
- * no holding area.
- * have to cruise around unnecessarily until space is made available.
- * leads to operators double & triple parking on the road.
- * no cleaning and maintenance area.
- * other: -
 -
 -

6.3. How can the problem of rank size be overcome?

- * relocate the rank.
- * close section of the road to use as ranks, re-routing the public traffic.
- * limit the number of permits issued.
- * provision of holding area, close by rank.
- * other: -
 -
 -

6.4.(a) Does the location of the rank present any problems?

- * yes
- * no

(b) If yes, state some of the problems associated with rank location.

- * unsafe for passengers[mugging,accidents]
- * rank is far from passenger destination.
- * have to compete with other public traffic to reach rank, leading to delays and more time spent in traffic.
- * located near too many other ranks, leads to feuds.
- * located on very busy street, making entry & exist difficult.

(c) What measures do you feel should be taken to overcome the above mentioned problem?

- * relocate rank.
- * close the road to public traffic, redirecting traffic.
- * more traffic police required on duty during peak periods.
- * greater patrolling by security police to create a safer environment for passengers and operators.
- * other: -

-
-

6.5. Should the rank be controlled by:

- * minibus association
- * route committee
- * operators
- * traffic officers
- * local authorities

6.6. the condition of the road serviced is:

- * good
- * poor
- * needs urgent repair work

6.7. The lane accommodation on the route is:

INADEQUATE ADEQUATE

- * throughout the route
- * certain sections of the route

6.8. Comment on the provision of the following on the road/route serviced.

clearly
demarcated absent adequate inadequate

- * pick-up points
- * stoppage bays
- * minibus signs
- * lighting

6.9. What improvements do you feel would make the road/route serviced more user friendly, to both the operators and passengers?

- * clearly demarcated areas for the use of minibuses.
- * bright and clearly visible minibus road signs.
- * display of visible destination signs on the road.
- * provision of more and brighter lighting.
- * other: -
-
-

6.10. What facilities would you like at the ranks and on the route?

rank

route

- * rest rooms
- * offices
- * shelter
- * toilets
- * seating facilities
- * cloak rooms
- * telephones
- * convenience stores
- * bins
- * emerg. med. facilities
- * washing area
- * canteen
- * other: -
-
-

6.11. What are some the complaints expressed by passengers regarding availability of facilities?

- * lack of shelter
- * no proper queuing area
- * no seating facilities
- * no toilet facilities
- * other: -
-
-

7. OPERATOR PROBLEMS & SOLUTIONS:

7.1. What are some of the problems that you as an operator

encounter with:

(a) Operators:

- * competition & conflict.
- * poaching of passengers.
- * damage to vehicle.
- * physical and verbal attack.
- * all the above.
- * none of the above.
- * other: -
-
-

(b) Owners:

- * force drivers/operators to make use of unfit vehicles.
- * use pirate parts to repair vehicle.
- * salary not paid on time.
- * do not listen to operator grievances.
- * all of the above.
- * none of the above.
- * other: -
-
-

(c) Route Associations:

- * only allow owners to be members.
- * no control over regulation and operation.
- * only owners interest is taken care of.
- * exercise too much power.
- * lack management skills.
- * association is weak.
- * all the above.
- * none of the above.
- * other: -
-
-

(d) Users:

APPENDIX 25
ROAD TRAFFIC REGULATION ACT OF 1989, SUB 396

APPENDIX 26
USER QUESTIONNAIRE

QUESTIONNAIRE: MINIBUS USERS

PLEASE SUPPLY THE FOLLOWING INFORMATION, TICKING
THE APPROPRIATE BLOCKS WHERE APPLICABLE.

1. DEMOGRAPHIC INFORMATION:

1.1. Name:

1.2. Address:

.....

.....

1.3. Age:

* 16-24 years

* 25-49 years

* over 50 years

1.4. Sex:

* Male

* Female

1.5. Race:

* White

* Black

* Indian

* Coloured

1.6. Length of residency in the Overport area:

* less than 1 year

* one year

* 1-5 years

2.

- * 6-10 years

- * born in the area

1.7. Size of household:

- * 1

- * 2-4

- * 5-7

- * over 8

.....

2. SOCIO-ECONOMIC CHARACTERISTICS:

2.1. Level of education:

- * std 3 or lower

- * std 4-5

- * std 6-7

- * std 8-9

- * std 10

- * diploma

- * degree

- * other:

2.2. Occupation:

- * professional

- * managerial

- * skilled

- * unskilled

- * informal sector

- * other:

2.3. What is your present working status?

- * working/employed

- * seeking work

3.

- * unemployed

2.4. State your monthly average income:

- * less than R500

- * R500-R1000

- * R1000-R2000

- * R2000-R4000

- * over R4000

2.5. Do you possess a motor vehicle?

- * yes

- * no

2.6. If yes, state the ownership of the motor vehicle.

- * personal

- * employer's vehicle

- * personal and an company car

- * other: -

-

2.7. If you possess a car, state reason for not using it for this trip.

- *

2.8. Do any of the other members of your household possess a vehicle?

* yes

* no

2.9. State your total transport cost, per month.

*

*

.....

3. NATURE OF JOURNEY:

3.1. For how long have you used the minibus as a public mode of transport?

* less than 6 months

* 6 mths-1 year

* 1-2 years

* 2-3 years

* 4 years and over

3.2. For what purpose is this trip mostly made?

* work

* returning home

* visit

* shopping

* medical

* religious

* school/education

* seek employment

* sport

* other: -

5.

3.3. How often do you use this mode of transport to make the above mentioned trip/s?

daily

weekly

* once

* twice

*other: -

-

3.4. What mode of public transport did you use previously?

* bus

* walked

* train

* other: -

* private car

* -

3.5. Why did you change from the previous mode of public transport to minibus?

3.6. State the final destination of your journey.

* Durban Central

* Northern suburbs

* Southern Suburbs

* Western Suburbs

3.7. To reach your final destination, is your journey split? If so, state the mode of transport used to reach your final destination.

* bus

* minibus

* train

* other: -

3.8. How long does it take to make a single trip each day?

first trip

second trip

mode	minutes	minutes
------	---------	---------

minibus		
---------	--	--

bus		
-----	--	--

train		
-------	--	--

other: -		
----------	--	--

-		
---	--	--

3.9. (a) How much do you spend each day on minibus travel- one way?

* R. - c

(b) If your journey is split, what does the second stage of your trip cost?

* R - c

3.10.(a) Do you think the fare charged for the journey made by minibus is reasonable?

* yes

* no

(b) If no, give a reason.

*

3.11. State the main reason why you use this mode of public transport?

* convenient	* vehicle is clean	* good driving skills
--------------	--------------------	-----------------------

* fast	* safe	* comfortable
--------	--------	---------------

* reliable	* driver's polite	* route is preferred
------------	-------------------	----------------------

- * driver's friendly * always available * good music
- * service is good * vehicle is roadworthy * other: -
- * * *

3.12. State some of the problems you have experienced with the minibus service.

- * too fast driving * too loud music
- * drunken driving * destination far from rank/stop
- * driver's rude and impolite * personal safety-accidents, crime
- * service is poor/unreliable * driver's disobey traffic/road regulation
- * overcrowding/overloading * difficulty in on-loading; off-loading
- * vehicle is unsafe * no luggage space
- * high risk of accident * pick-pocketing in vehicle
- * other: - *
- * *

3.13. What do you think could be done to improve the above mentioned problems?

- * enforce strict penalties on operators speeding.
- * suspension of operation.
- * suspension of driver's licence.
- * cancellation of permit/licence.
- * strict adherence by operators to legal conditions attached to the provision of minibus service.
- * strict disciplinary measures.

- * redesigning of vehicle to convey passengers + luggage.
- * regular safety and roadworthy checks.
- * other: -

-

-

.....

4. VEHICLE ASPECT:

4.1. How would you describe the condition of the vehicle's exterior?

- | | |
|-------------------------------|--|
| * painted | * paint is peeling off |
| * clean, washed, polished | * dirty, unwashed, unpolished |
| * windscreen is clear & clean | * windscreen cracked, dirty
poor visibility |
| * repairs and dents repaired | * damages neglected & unrepaired |
| * rustproof | * rusty and corroding |
| * other: - | * - |

4.2. How would you describe the condition of the vehicle's interior?

- | | |
|----------------------------|----------------------------------|
| * seats upholstered | * seats are tearing |
| * seats are steady | * seats are loose & rickety |
| * floors are strong & safe | * floors are corroded / worn out |
| * clean and hygienic | * filthy, unhygienic, bad odour |
| * other: - | * - |

4.3. Are the minibuses in a roadworthy condition and safe to travel in?

- * doors : - operates smoothly.
 - gets jammed/stuck.
 - difficult to turn handle to lock or open.
 - no proper handles.
 - locks securely.
 - other: -
 -

- * windows: - closes easily.
 - gets stuck.
 - no windows.
 - tinted too dark, fear for safety.
 - secured tightly, difficult to open.
 - sealed leading to poor ventilation.
 - other: -
 -

- * brakes: - squeaks.
 - failure is common.
 - operates smoothly.
 - other: -
 -

- * steering:- loose.
 - no proper steering.
 - properly secured.
 - other: -
 -

- * safety belts: - in good working conditions.
 - have been removed.
 - in poor condition,needs replacement.
 - other: -
 -

- * lights: - very dim, visibility is poor.
 - bright, improving visibility.
 - shields are cracked/broken.
 - other: -
 -

- * other: -
-
-

4.4.(a) Are you satisfied with the overall roadworthiness and cleanliness of the vehicle?

- * yes
- * no

(b) If no, state what improvements you think should be made to improve the condition of the vehicle.

- * regular maintenance check-ups must be compulsory.
- * daily clean ups must be conducted.
- * ventilation must be improved.
- * stringent penalties for unfit vehicles.
- * defects & faults that of a serious nature must be repaired immediately and checked by authorities, before allowed to resume operation.
- * other: -
-

.....

5. SERVICE ASPECTS:

5.1. With regards to driving skills, which of the following have you experienced or witnessed?

- * reckless driving.
- * ignoring red traffic lights.
- * exceeding the speed limit.

- * ignoring the road stop signs.
- * overtaking when not safe.
- * turning in front of oncoming cars.
- * cutting road corners and road islands.
- * become aggressive when reprimanded by public motorists for reckless driving.
- * changing lanes, stopping and obstructing the flow of traffic.
- * extend almost half the body out of window to be granted favour.
- * physically or verbally abuse motorists &/or traffic police.
- * rude to pedestrians.
- * other: -
-
-

5.2.(a) Are you satisfied with the operator's driving skills?

- * yes
- * no

(b) If no, state ways in which you think the standard of driving skills can be improved.

- * operators should attend courses aimed at improving driving.
- * incentives should be offered to operators, such as best operator award for the person who drives the best.

- * operators should be rated by passengers using a scaling system, the operator with certain points wins a prize etc.
- * workshops must be held for operators, by the various road and traffic authorities, and road safety board, to "educate" operators on issues related to road regulations and rules.
- * suspension of permits to operate.
- * cancellation of operator's driving licence.
- * heavy penalties to be paid by operators.
- * impounding of vehicle.
- * other: -

-

-

5.3. Describe how the operator's generally treat and behave towards their passengers?

- * rude and inconsiderate.
- * smile and greet passengers.
- * impatient when getting in & out of minibus.
- * polite and patient .
- * scream & shout at passengers.
- * speak friendly.
- * bully passengers.
- * courteous.
- * respond negatively to passenger complaints & requests.

- * respond positively to passenger complaints & requests.

- * other: -

-

-

5.4. (a) Do you feel that operators need to establish a better relationship with their passengers?

- * yes

- * no

(b) If yes, suggest how this can be achieved?

- * operators need to be screened, so that persons with a "good" temperament need get the job.

- * courses in improving communication skills must be attended.

- * workshops must be held where situations are simulated and operators learn what appropriate behaviour ought to be displayed.

- * passengers need to be more active in expressing their dissatisfaction with aspects relating to operator skills & behaviour.

- * other: -

-

-

5.5. Would you like to comment on any other aspect relating to the operator's driving skills and behaviour towards passengers.

- *

*

*

5.6.(a) What do you like about the services rendered by minibuses?

*

*

*

(b) What do you not like about the minibus services?

*

*

*

5.7.(a) What are your personal views and feelings with regards to the playing of music in the minibuses?

- * play good music.
- * should play a more varied range of music to cater for different passenger preferences.
- * music should be played loudly.
- * playing of music causes public disturbance.
- * it is a serious distraction to the operator, and can lead to life threatening situations.
- * too loud music can over time lead to hearing impairment, where the damage maybe irreversible.
- * playing of music on minibuses should banned.

- * heavy fines must be imposed on operators found guilty of causing public disturbance.

- * other: -

-

-

.....

6. AVAILABILITY OF FACILITIES:

6.1. What are the minimum facilities that you as a passenger would require both at ranks and routes to satisfy your basic needs?

facilities

rank

route

- * shelter.

- * stands.

- * toilets.

- * seating facilities.

- * bins.

- * better & brighter lighting.

- * telephones.

- * clearly demarcated area for users.

- * visible & unobstructed rank sign.

- * clear & unobstructed stop signs.

- * cloakrooms.

- * emergency medical facilities.

* other: -

-

-

6.2. Would you continue to use the minibus services in the future?

* yes

* no

6.3. As a passenger, state if any, additional improvements you think is necessary and required to improve the services provided by minibuses thereby meeting the needs of passengers.

*

*

*

.....

.....
THANK YOU FOR YOUR CO-OPERATION!
.....

APPENDIX 27
SUMMONS FOR PUBLIC DISTURBANCE VIOLATION



DURBAN CITY POLICE/DIE DURBANSE STADSPOLISIE
16 Old Fort Place, Durban - P.O. Box 1172, Durban 4000
Old Fortoord 16, Durban - Posbus 1172, Durban 4000

SUMMONS No.
DAGVAARDINGNr.

1027751

Notice to appear in the Magistrate's Court (Section 56, Criminal Procedure Act, 1977)
Kennisgewing om in die Landroshof te verskyn (Artikel 56, Strafprosedeswet, 1977)

0 Force No./
2 Mag. Nr.
0

PC 234

Name of Accused/Naam van beskuldigde Alpha Sex/Geslag Age/Ouderdom

C E L E M D A N T I S W A E L I A S MALE 39

0 Home Address Huisadres L 360 U M L A Z I 5. Occupation/Beroepstatus DRIVER

2 Business Address Kantooradres 32 C WOODVILLE RD PH. 4611143

0 Place of Appearance/Plek waar u moet verskyn Durban Court 14 Trial Date/Datum van Verhoor Day Day Month Maand Year Jaar 10 12 96 Date and Time of Offence/Datum waarop en tyd wanneer misdryf gepleeg is Day Day Month Maand Year Jaar 24 10 96 Time/Tyd 15:10

D	SECTION(S) CONTRAVENED ARTIKEL(S) WAT OORTREE IS	E	DETAILS OF OFFENCE/S BESONDERHEDE VAN MISDRYF	OFFENCE CODE MISDRYF KODE	AMOUNT BEDRAG
1	3(1)(i) GBL		LOUD MUSIC		200 -
2	104 RTA		UNECESSARY HOOTING		50 -
3					
4					
5					

0 Place of Offence/Plek waar misdryf gepleeg is WEST STREET AREA GEBIED F 250 00

H Registration No./Registrasienr. ND 411081 Make of Vehicle/Fabriikaat ISUZU Type of Vehicle/Soort Voertuig M/Bus Country/Land SA

The original hereof was today handed to the aforementioned accused personally and the contents thereof explained to him.

Peace Officer/Vredesbeampte R and P 234

Die oorspronklike hiervan is vandag aan voormede beskuldige persoonlik oorhandig en die inhoud daarvan aan hom verduidelik.

Place/Plek DURBAN Date/Datum 24/10/96

ID No. ID Nr. 5610105880083

ADDITIONAL EVIDENCE/
BYKOMENDE GETUIENIS

Colour of vehicle/Kleur van voertuig: BLUE/WITTE Direction of Travel/Rigting waarin gery. WEST.

Licence/Toekenis/Isensieskyfie:
(1) Music - excessively loud - blaring sound. I in uniform parked F/S Coastlands Flats - could hear the vehicle's music + 25 m. away.
(2) Driver said he thought that the loud music complaint was only in connection he was aware of the loud music complaint.
(3) He said that he was continually hooting so that he could

APPENDIX 28
NOTICE TO SUSPENSION TO DISCONTINUE USE OF VEHICLE

CITY POLICE
TRAFFIC ACT 29 OF 1989
73(1) & (2)



01036

DIE DURBANSE STADSPOLISIE
PADVERKEERSWET, 29 VAN 1989
ARTIKEL 73(1) & (2)

**NOTICE TO DISCONTINUE USE
OF VEHICLE**

**KENNISGEWING DAT GEBRUIK
VAN VOERTUIG OPGESKORT IS**

COLOUR AND COLOUR KLEUR EN KLEUR OTA-WHITE	TYPE Tipe BUONDS 112878	REGISTRATION REGISTRASIENR. 200801193385	CLEARANCE CERTIFICATE LISENSIEBEWYS 641025342085	C.O.F. No. P.W.S. NR.
ENGINE No. ENJINN. R 0134983	CHASSIS No. ONDERSTELNR. RH 22908092			
LANGA	SIPNIWE	JAMSON		
42 EZAKWENI	EZAKWENI			
Address of Owner/Naam en adres van eienaar: AS ABOVE				

on of the above vehicle reveals that it is unroadworthy due
ing reasons (Further defects may be revealed when
by your garage and should also be repaired):

Volgens 'n ondersoek is bogenoemde voertuig onpadwaardig en
wel om die volgende redes (Verdere defekte mag aan die lig kom
wanneer dit by u motorhawe ondersoek word en dié behoort ook
herstel te word):

DEF. HANDBRAKES

(9) NO DOOR HANDLES

DEF. FOOTBRAKES

NO WINDSCREEN WIPERS

DEF. SPEEDOMETER

DEF. FUEL CAP - LEAKING FUEL

DEF. INDICATORS (R)

DEF. INDICATORS (L)

DEF. DOORS X2

ordingly directed that the said vehicle may continue to
public road only in order to remove it to the nearest
the owner's place of residence, and eventually to the
und by the method indicated by means of an "X"

Driven, at 40 kilometers per hour

owed by a breakdown vehicle
Certificate/Certificate of Fitness has been impoun-
be returned to you after an Examiner of Motor Vehicles
at the vehicle complies with the requirements of the
which event this notice will be cancelled by the said
Motor Vehicles.

have been completed the vehicle must be inspected
of Motor Vehicles at the N.P.A. TESTING GROUND,
ROSSBURGH, DURBAN, Mondays to Fridays be-
s of 08:00 and 11:30.

THE VEHICLE WILL BE SUBJECT TO A FULL VEH-
EXAMINATION.
THE RELEVANT MOTOR VEHICLE REGISTRATION
CERTIFICATE (LOGBOOK) MUST BE PRODUCED AT
TESTING GROUND WHEN THE VEHICLE IS PRE-
FOR INSPECTION AFTER IT HAS BEEN
AIDED.
AN OFFENCE TO OPERATE A SUSPENDED VEH-
OTHERWISE THAN IN ACCORDANCE WITH
NOTICE.

96 0755 Umgeni RO
TIME PLACE

234

U word derhalwe in kennis gestel dat die vermelde voertuig nog op
'n openbare pad gebruik kan word, maar slegs met die doel om dit
na die naaste motorhawe, of na die eienaar se verblyfplek te ver-
wyder en uiteindelik na die toetsterrein te bring, en wel op die wyse
wat met 'n "X" hieronder aangedui is:

[] Teen kilometer per uur bestuur

[] Deur 'n insleepvoertuig gesleep.

Die *lisensiebewys/padwaardigheidsertifikaat is in beslag geneem
en sal aan u terugbesorg word nadat 'n motorvoertuiginspekteur
tevrede is dat die voertuig aan die vereistes van die vermelde Wet
voldoen, in welke geval hierdie kennisgewing deur sodanige motor-
voertuiginspekteur teruggetrek sal word.

Nadat die herstelwerk voltooi is, moet die voertuig, enige tyd, Maan-
dag/tot Vrydag, tussen 08:00 en 11:30 by die N.P.A.-TOETS-
TERREIN, TITRENWEG, ROSSBURGH, DURBAN, deur 'n motor-
voertuiginspekteur ondersoek word.

- LET WEL: # DIE VOERTUIG SAL AAN 'N VOLLEDIGE VOER-
TUIGINSPEKSIE ONDERWERP WORD.
DIE BETROKKE MOTORVOERTUIGREGIS-
TRASIEBEWYS (LOGBOEK) MOET BY DIE
TOETSTERREIN VOORGELÉ WORD WANNEER
DIE VOERTUIG VIR INSPEKSIE INGEBRING WORD
NADAT DIT HERSTEL IS.
DIT IS 'N OORTREDING OM MET 'N ONPADWAAR-
DIGVERKLAARDE VOERTUIG TE RY, BEHALWE
OP DIE WYSE SOOS IN HIERDIE KENNIS-
GEWING AANGEDUI.

DATUM TYD PLEK

..... SERS./KONST.
POLISIEBEAMPT

*Skrap indien nie van toepassing nie.

APPENDIX 29
NEWSPAPER ARTICLE: CAIRO "MICROBUSAT"

'Demon' taxis drive Cairo mad

[NATAL MERCURY:

19/11/96]

"**A**S P H A L T Demons." An angry letter to Cairo's biggest newspaper demands: "Who will do something about them?"

And across the sprawling capital, Egyptians are quick to volunteer harrowing tales of ever-so-close calls with "microbusat" - the tens of thousands of private minibuses that career through Cairo's chaotic streets in search of riders.

In a city where rush hour never ends, the men behind the wheels of the "microbusat" are bad drivers. Really bad.

So bad, that the government has been forced to take action in response to mounting popular anger.

Interior Minister Hassan el-Alfy announced in September that 10 special police teams were being formed "to impose discipline" on the streets. He also declared that no more permits would be issued for minibuses in Cairo.

That will limit officially recognised minibuses to about 50 000 for metropolitan Cairo, the ministry says. But it concedes there are at least 20 000 operating without licenses.

"They are the source of Cairo's problems," said Ahmed Mohammed, looking sadly from his cigarette stand at Ramsis Square, the city's busiest.

"The drivers are all bullies," he complained. "Either they have just been released from prison or they are dealing drugs."

The "microbusat" are not exactly postcard material for a city already hard-pressed to convey a sense of order.

With a maddening fondness for speed, they swerve in and out of teeming traffic, dodging cars, donkey carts piled with trash and, occasionally, a hapless pedestrian. - (Sapa-AP)